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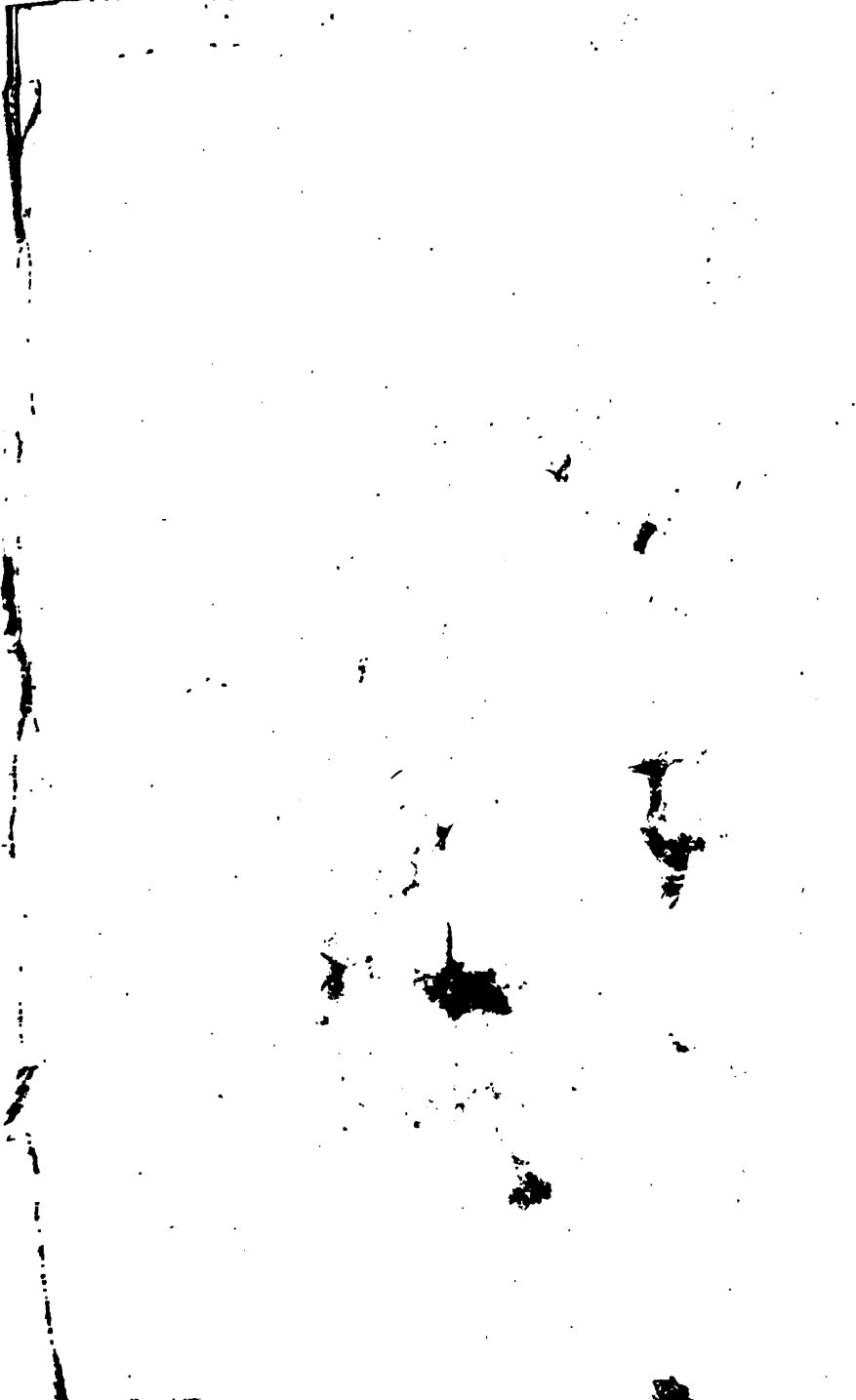
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John Bond
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General TABLE TO THE STATUTES.

CONTAINING

The Purport and Effect of all the Acts of Parliament in Force from *Magna Charta* down to the Reign of King GEORGE II. in a Method perfectly New and Regular; with the numerous Proviso's and additional Clauses inserted under their proper Titles.

THE WHOLE

Very useful to Counsellors, Attornies, Solicitors, Justices of the Peace, Mayors, Sheriffs, Coroners, Clergymen, Merchants, and all Trading Persons.

The *fourth Edition*, with large Additions, continued in one Volume, to the twelfth Year of King GEORGE II.

By G. JACOB, Gent.

In the SAVOY:

Printed by E. and R. NUTT, and R. GOSLING,
(Assigns of Edw. Sayer, Esq;) for D. Lintot, at
the Cross Keys, against St. Dunstan's Church in Fleet-
street.

M.DCC.XXXIX.



To the RIGHT HONOURABLE
T H O M A S,
Lord P A R K E R,
Lord High Chancellor of
Great Britain.

The Hon. Sir *John Prat,*
Knt. Lord Chief Justice,
of *England.*

Justices of
the Court
of King's
Bench.

Sir *Littleton Powis,*
Sir *Robert Eyre,*
Sir *John Fortescue Aland,*

The Hon. Sir *Peter King,*
Knt. Lord Ch. Justice,

Justices of
the Com-
mon Pleas.

Sir *John Blencow,*
Robert Tracy, Esq;
Robert Dormer, Esq;

DEDICATION.

The Hon. Sir <i>Tho. Bury</i> ,	} Barons of the Ex- chequer.
Knt. Lord Ch. Baron,	
<i>Robert Price</i> , Esq;	
Sir <i>James Montague</i> ,	
Sir <i>Francis Page</i> ,	}

This short Treatise, or improv'd
General Table to the Statutes, con-
taining a View of all the Acts of
Parliament from the Beginning of
Magna Charta, is humbly dedi-
cated by

Your Lordships

Most Dutiful, and

Most Obedient Servant,

Giles Jacob.

THE PREFACE.

BEFORE I enter upon any particular Defence of the following Sheets, I think it consistent with my Duty to make an Apology for prefixing the Names of the Right Honourable the Lord Chancellor, and the Honourable the Judges (the Ornaments of the Law, and Distributers of Justice) in the Front of this small Performance, for which I ask Pardon, and at the same time implore their Protection to a Person bred up in the Profession of the Law.

It is my Fortune not to enjoy
that Share of the Favours and Bu-
siness

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business of the World, which perhaps my small Abilities might lay claim to, occasioned by divers uncommon Accidents, and an Over-fondness for Study and Retirement; but I esteem it no small Felicity, that it lies in my Power to do some Service to others, at least in assisting their Memories, if not improving their Judgments, by reducing the several Branches of the Law to proper Bounds, freeing them from a Confusion of Method, and perfecting what I found little more than begun by my industrious Predecessors; and I think I have not altogether fail'd in my Attempts of this Nature.

The Gentlemen of the Law, of Business and Capacity, are so perpetually employed in the Service of their Clients, that it cannot be expected they should write in their
Pro-

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Professions; and it is a publick Misfortune that the Persons who have generally been the fondest of Writing, have commonly had the least Ability and Experience, which has caused so many useless Volumes to be in all our Libraries, and made it absolutely necessary for some Person of Judgment and Leisure, to new-write most of the Law-Books (those of Precedents excepted) that have appeared the Century past.

These Reflections, and my natural Aversion to a supine and indolent Life, have prompted me to pursue the Business of an Author in the utmost Latitude, to render my Account of Time satisfactory, if not for my own Interest, however for the Good of my Profession. This will be evident, on considering the many Performances I have successfully gone through, by the Encou-

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agement I have met with in general, and of some Persons of Distinction; and the undertaking Genius of my Bookseller, to whom and his generous Offers, I must say, much is due.

By his Means, in a youthful Age, I sit down a Voluminous Writer: And to come to my Business in Hand, it may be remember'd, that some Time since I published a General Table to the Statutes, which being complained of as tending more to an Amusement than to a real Information, I resolved to improve that Scheme by a second Attempt, which might give my Readers a more compleat View of all the Statutes from Magna Charta.

Pursuant to this Resolution I began and finished this Second Table
as

The PREFACE.

as it now appears to the World : And I have thus much to offer in its Favour, that it entirely answers the Title; that it hath the Effect of all the publick Acts of Parliament now in Force : And to make it compleatly useful, I have introduced several material Heads, not hitherto mentioned; and those Things I have omitted, (except Customs and Taxes, which have Branches too numerous for particular Notice) proceed either from Acts relating to certain Places of a private Nature, Temporary Acts, containing the same Thing over again, or obsolete Statutes.

Whatever Omissions there may be, I presume they will appear to be insignificant, the best Care having been taken in the Composure; and its small Imperfections I hope will be excused, if only on Account of the
Con-

The P R E F A C E.

Confusedness of the Volumes I have been under a Necessity of consulting; and in respect to methodizing, particularly the Proviso's and additional Clauses, to range them under their proper Titles, which has been a Task of no small Difficulty: And it is impossible for some Things to be so very plain and intelligible in this short Way of Writing, as in the Method of a common Treatise.

This obliges me to make one Request of the Publick; that they would consider the following Work as an improved Table, the general Title I have given it, and not as a Treatise; and if some Persons will have this Performance contrary to my Intentions, to be an Abridgment of the Statutes, let them make an Allowance for the prodigious (and I suppose till now unknown) Reduction of six of the largest siz'd Folio's,

The P R E F A C E.

to four Hundred and nine Pages in Octavo, within the Extent of the Tables to the Abridgments of those Books, and I believe they will find it equally compleat with any Thing of its Kind.

By the Index of Heads you may have Recourse to any Thing wanted; which is all I have further to say, but that in this Edition a great many old Acts of Parliament, and very near one Hundred New Heads are added, besides the Continuation of the Statutes to the present Time; and in Regard to this and all my other Pieces, I am not only satisfied but justified by the memorable Advice of the great Sir Edward Coke, — Omnes debere jurisprudentiæ libris componendis animum adjicere.

G. Jacob.

INTRODUCTION.

INtroductions are necessary and useful in all manner of Treatises, where some Standard Knowledge and Fundamental Maxims are often referred to, or where something essential, on which a whole Work is built, is required to be explained.

The last is the present Use of my short introductory Essay; wherein I shall give the Reader besides a Definition, the general Construction and Exposition of Statutes; and a short Illustration of *Magna Charta*, the Basis and Foundation of our Statute-Law.

And first the Statute-Law, is the Act and Deed of the King and the whole Realm solemnly pass'd, made by the several Kings of *England*, with the Advice and Consent of all the Lords Spiritual and Temporal, and of all the Commons of *England* by their Representatives in Parliament. And our Statutes have been generally introduc'd on a Deficiency of the Common Law.

These Statutes from Time to Time made, have met with various Expositions and Constructions: And my Lord *Coke* tells us, That where the Statute-Law and Common Law interfere, the Common Law shall be preferred; as shall a Statute be against a Custom or Prescription, unless the same be aided or preserved by some Act of Parliament;

fiament; for it is a Matter of Record, and cannot regularly be prescribed against. *Co. Litt.* 115.

It is the most natural and genuine Exposition of Statutes, to construe one Part by another Part of the same Statute, for that best expresses the Meaning of the Makers; the Preamble is a very great Furtherance to the Finding out the Design and Meaning of a Statute, and is as it were a Key to the Knowledge thereof. The Words of an Act of Parliament are to be taken in a lawful and rightful Sense; and the Construction of Statutes in general must be made in Suppression of the Mischief, and for the Advancement of the Remedy. *Co. Litt.* 381.

Cases of the same Nature shall be within the Remedy, though out of the Letter of a Statute, 13 *Eliz.* And sometimes Statutes shall extend by Equity to other Actions and other Cases than are therein mentioned: Equity being a Construction made by the Judges, that Cases out of the Letter of a Statute, yet being within the same Mischief, shall be within the same Remedy the Statute provides; and the Law-makers cannot possibly set down all Cases that may happen, in express Words. *Co. Litt.* 24, &c.

In the second Part of *Coke's Institutes*, p. 235. The Learned Judge says, That an Act of Parliament in Affirmance of the Common Law extends to all Times after, though it mentions only to give Remedy for the present. And where a Thing is granted by Statute, all necessary Incidents are granted with it.

An Act made to suppress a Wrong binds the King, tho' he be not named, 2 *Part Coke* 861. But impossible Clauses in Statutes are void; and
so

so are all Statutes made against *Magna Charta*, declared to be by 43 *Ed. 3.*

I am now proceeding to *Magna Charta*. This great Charter was granted *Anno 9 H. 3.* and the Motives inducing the Making it were very great and good, *viz.* for the Honour of GOD, the Health of the King's Soul, the Exaltation of Holy Church, and the Amendment of the Kingdom.

This Statute is divided into thirty-eight Chapters. The first Chapter provides, That the Church of *England* shall be free, and all Ecclesiastical Persons enjoy their Rights and Privileges. The 2d is of the Nobility, Knight-service, Reliefs, &c. The third concerns Heirs, and their being in Ward. The 4th directs Guardians for Heirs within Age, who are not to commit Waste. And the 5th relates to the Custody of Lands, Tenements, &c. of Heirs, and Delivery of them up when the Heirs are of Age.

The 6th Chapter concerns the Marriage of Heirs. The 7th appoints Dower to Women after the Death of their Husbands, a third Part of Lands, &c. The 8th relates to Sheriffs, Bailiffs, &c. and directs that they shall not seise Lands where there are Goods, &c. the Surety not to be distreined where the Principal is sufficient, &c. The 9th grants to *London* and all Cities, their ancient Liberties. And the 10th orders that no Distress be taken for more Rent than is due, &c.

By the 11th the Court of Common Pleas is to be held in a certain Place. The 12th gives Remedy on Disseisin of Lands, &c. by Justices of Assise, &c. The 13th relates to Assises of *darrein Presentment* brought by Ecclesiasticks, &c. The

The 14th enacts, That no Freeman shall be amerced for a small Fault, but in Proportion to the Offence, and by the Oaths of lawful Men. And by the 15th no Town, &c. shall be distreined to make Bridges, &c. but such as of ancient Time have been accustomed.

The 16th Chapter is of Sea-banks. The 17th prohibits Sheriffs, Coroners, &c. from holding Pleas of the Crown. Chap. 18, The King's Debtor dying, the King shall be first paid his Debt, and the Residue to go to the Executors, &c. The 19th directs the Manner of levying Purveyance; and the 20th concerns Castleward, where a Knight was distreined for Money for keeping his Castle on his Neglect.

The 21st Chapter forbids Sheriffs and other Officers to take the Horses or Carts of any Person to make Carriage without paying for. By the 22d the King is to have Lands of Felons a Year and a Day, and afterwards the Lord of the Fee. The 23d requires Wears to be put down on the Sea-coasts. The 24th directs the Writ *Præcipe in Capite* for Lords against Tenants offering Wrong, &c. And the 25th declares that there shall be but one Measure throughout the Realm.

The 26th Chap. Inquisition of Life and Member to be granted freely. The 27th relates to Tenure in Socage, Knights Service and Perit Sergeanty, (taken away by 12 Car. 2.) The 28th directs, That no Man shall be put to his Law on the bare Suggestion of another, but by lawful Witnesses. The 29th, No Freeman shall be disseised of his Freehold, imprisoned or condemned, but by Judgment of his Peers, or by Law. The
30th

Introduction.

30th requires that Merchant-strangers be civilly treated, &c.

The 31st Chapter relates to Tenure of Barony, &c. coming to the King by Escheat. By the 32d no Freeman to sell Land, but so that the Residue may answer the Services. The 33d, Patrons of Abbies, &c. shall have the Custody of them in Time of Vacation. The 34th, a Woman to have an Appeal for the Death of her Husband. The 35th directs the keeping of the County-Court monthly; and also the Times of holding the Sheriffs Turn, and View of Frankpledge. The 36th makes it unlawful to give Lands to religious Houses in Mortmain. The 37th relates to Escuage and Subsidy, to be taken as usual. And the 38th ratifies and confirms every Article of this great Charter of Liberties.

These are the several Chapters of *Magna Charta*; and according to the Opinion of Sir *Edward Coke*, This Charter was for the most part only a Declaration and Restitution of the ancient Common Law. And by 25 *Ed. 1.* it is declared, That the great Charter shall be taken as the Common Law,

A

General T A B L E

TO THE

S T A T U T E S.

Abatement.

A Writ of Waste, shall not abate by Death 20 E. 1.
of the Ancestor, &c.
Writ of Jointenancy, is abateable by 34 E. 1.
Averment that the Plaintiff was sole

Tenant.

In Debt, Account, &c. Writ abates where 6 R. 2. c. 2.
the Action arises in another County, than con-
tained in the Writ.

Mistakes of Clerks, of a Letter or Syllable in 14 E. 3. c. 6.
a Writ, &c. shall not abate it.

No Writ, Action or Suit to abate on Account 1 Ed. 6. c. 7.
of any Person's being created a Duke, Earl,

B

Baron,

Ability.

Baron, Knight, or other honorary Preferment, pending the Suit, &c.

18 *Elix. c.* Abatement shall not be for want of Form,

14. false *Latin*, Variance, &c. after Issue had: Nor

17 *Car. 2. c. 8.* by Death of Parties after Verdict, so as Judgment be entered in two Terms.

c. & 9 *W. 3.* The Death of a Plaintiff or Defendant, where
8 11. there are two or more, and the Cause of Action survives to the surviving Plaintiff, &c. shall not

abate the Writ or Action.

8 & 9 *W. 3.* No Plea in Abatement to be admitted in any
c. 31. Suit for Partition; nor shall the same abate by Reason of the Death of any Tenant.

4 & 5 *Ann.* Dilatory Pleas not to be received in any Court
c. 16. of Record, unless some probable Matter be shewn, or the Truth proved by Affidavit.

See more Title **Discontinuance.**

Ability.

25 *E. 3.* **B**Y the Statute *De Natis ultra Mare*, the King's Issue are of Ability to inherit in *England*, wheresoever born; and Children of Subjects born beyond Sea, may likewise inherit, if their Birth were within the King's Allegiance.

9 & 10 *W. 3.* Persons born out of the King's Dominions of
c. 20. Natural-born Subjects, in the Service of his Majesty, during the War with *France*, or at any Time before the 25th of *March* 1698. declar'd Natural-born Subjects, as if born in *England*, and able to challenge and enjoy Lands and Hereditaments,

Accounts.

3

ments, &c. But they are to receive the Sacrament, and take the Oaths appointed, in five Years after the Age of Fourteen.

Where Estates are settled to Uses on Marriage, ^{10 & 11 W.} Children born after the Decease of their Fathers, ^{3. c. 16.} may take the Estate limited by the Settlement, in the same Manner as if born in the Life-time of such Father.

Natural-born Subjects within any of his Ma- ^{11 & 12 W.} jesty's Dominions, are of Ability to inherit Ma- ^{3. c. 6.} nors, &c. and make their Descents, altho' their Ancestors were born out of the King's Allegiance.

By this Statute Children of all Natural-born ^{7 Ann. c. 5.} Subjects, born out of the Allegiance of her Majesty, are declared Natural-born Subjects of this Kingdom.

Accounts.

Bailiffs of Lords, &c. withdrawing themselves ^{Stat. Marlbr.} from accounting, liable to Attachment by ^{52 H. 3. c. 23.} the Sheriff.

Accountants, Servants, Bailiffs, &c. found in ^{Stat. Westm.} Arrear by Auditors assigned by their Masters, to ^{2. c. 11.} be committed to Gaol till Satisfaction shall be ^{13 E. 1.} made; but they may appeal to the Barons of the Exchequer, &c.

Commissioners to enquire of the Accounts of ^{6 H. 4. c. 3.} Sheriffs, Customers, and others the King's Officers in the Country, after pass'd in the Exchequer, and if they are detected in any Fraud, to incur treble Damages.

B 2

These

- 13 *Car. 2.* These Acts give to the Crown Monies in the
c. 13. Hands of Treasurers, Accountants, &c. not par-
 13 & 14 done by the Act of Oblivion; and vest in his
Car. 2. c. 16. Majesty the Arrears of Excise and new imposts.
- 2 *W. & M.* This Statute appoints Commissioners to ex-
Jeff. 2. c. 11. amine and state the publick Accounts for one
 Year.
- 4 & 5, & 5 Continues and revives *Stat. 2 W. & M.* for
 & 6 *W. & M.* one Year each successively.
- 6 & 7, 7 & 8 These Acts do likewise the same for two Years
W. & M. more in Succession.
- 11 & 12 An Act for examining and determining the
W. 3. c. 8. Debts due to the Army, Navy, &c. Officers of
 the Exchequer, Secretaries and Treasurers of
 War, Muster-Masters, Agents, &c. to observe
 the Orders of Commissioners; the Commissioners
 to send for Persons, Papers, &c. make Certifi-
 cates to the Paymaster of the Forces, who is to
 give out Debentures; the Commissioners to give
 1 *Ann. c. 20.* an Account of their Proceedings to the King and
 revives 11
 & 12 *W. 3.* Parliament, and 1500 *l.* to be allowed for Clerks
 and Officers, &c. besides 400 *l.* for each Com-
 missioner.
- The Commissioners also to take an Account of
 Ships and Goods condemn'd as Prize during the
 War.
- 1 *Ann. c. 10,* These Acts revive the former Statute for tak-
 & 19. ing, examining and stating the publick Ac-
 counts for the Years 1703 and 1704.
- 2 *Ann. c. 17.* This Statute charges Accountants with Inte-
 rest-Money, and renews Debentures for Arrears
 due to the Army, &c. lost or destroyed.
- 9 *Ann. c. 13.* By these Statutes Commissioners were appoint-
 10 *Ann. c. 8.* ed for stating the publick Accounts, to examine
 31. Corruptions in the Management of the Queen's
 Treasure, Accounts of Officers of the Army,
 &c.

Accusations.

5

Ec. and Officers of the Exchequer, Secretary at War, *Ec.* to attend, execute Orders, *Ec.* the Commissioners to distinguish what due for Cloathing, what for Poundage, and what remains due to each Officer, *Ec.* and certify to the Paymaster of the Forces.

Acts for stating Debts due to the Army, *Ec.* 2 & 3 Geo. 1.

Act to appoint Commissioners, *Ec.* to state 4 Geo. 1. c. 9. and determine the Charge of transporting Forces to *Ireland*, plac'd on the *Irish* Establishment.

Acts for continuing the Commissioners to take, 5 & 6 Geo. 1. state and determine Debts due to the Army, *Ec.* and to adjust the Demands of the States of *Holland*, for Forces and Pay during the late War; and of several foreign Princes.

The usual Acts appointing Commissioners to 7 & 9 Geo. 1. state the Publick Accounts, *Ec.*

Accusations.

NO Freeman shall be imprisoned or con- *Mag. Chart.*
demned on any Accusation, without Trial 29. 9 H. 3.
by his Peers, or by the Law.

Neither shall any one be attach'd, or his Lands 5 E. 3. c. 9.
seised contrary to Law.

By this Act none are to be apprehended with- 25 E. 3. 4.
out Indictment, Presentment or Process at Com- *Stat. 5.*
mon Law; and none shall be ousted of his Free- 42 E. 3. c. 3.
hold, but by Law; nor answer an Accusation to 28 E. 3. c. 3.
the King without Presentment or Matter of Re-
cord.

Promoters of Suggestions to find Surety to 37 E. 3. c. 18.
pursue them, or to incur the Penalty which the 38 E. 3. c. 9.

Actions.

Accused should suffer, before Process be granted.
Not making them good, to satisfy Damages.

- 17 R. 2. c. 6. The Chancellor may award Damages on an unnatural Suggestion in the Chancery, for the Party accused.
- 15 H. 6. c. 4. A Person suing forth a *Subpœna*, to find Surety to satisfy the Defendant Damages, if he do not make good his Bill.
- 5 & 6 E. 6. c. 11. In Cases of Treason there must be two lawful Accusers.
- 13 Car. 2. c. 1. And by this Act Witnesses at the Offender's Arraignment are to appear before him Face to Face.
-

Actions.

- 25 H. 3. c. 5. **A**N ACTION lieth, and Writs to be granted, against Persons that offend against *Magna Charta*, and other Statutes.
- 13 E. 1. c. 50. Action of the Case shall be had rather than any depart the King's Courts remediless.
- 19 H. 7. c. 9. The same Process to be in Action on the Case, as in Trespass, or Debt.
- 5 Eliz. c. 9. Action lies against a Witness for not appearing to give Evidence, after he is serv'd with a *Subpœna* and had reasonable Charges offered him; the Penalty is 10 *l*.
- 21 Jac. 1. c. 16. All Writs of Formedon for any Title to Lands *in esse*, are to be sued within twenty Years after the Title accrued; and Entry to be made in the same Time; Actions upon the Case (except for Slander) Actions for Account (except such as concern Merchandise) Actions of Debt, Detinue, Trover,

Trover, and Trespass, to be commenc'd within six Years: Actions for Assault and Battery to be brought within four Years; and Actions upon Case for Words to be prosecuted within two Years after the Cause of Action: Persons *Non compos*, Feme Coverts, Infants, Persons beyond the Seas, &c. allowed the same Time after their Imperfections removed. When Judgment is given for the Plaintiff in any Action, and the same is reversed, his Heirs, Executors, &c. may commence a new Action in a Year.

Actions popular which may be presented before Justices of Assize, &c. to be prosecuted only in the Counties where the Offences were committed, except for Recusancy, Maintenance, transporting Wool, &c. and the Informer to make Oath of it within a Year. 21 Jac. 1. c. 4.

An Informer is to exhibit his Suit in proper Person, by Way of Information or Original Action: Not to compound on Pain of 10 *l.* And if he discontinues or is nonsuit, the Court shall immediately assign Costs to the Defendant; the Defendant may plead the general Issue, and give special Matter in Evidence. 18 Eliz. c. 5.

This Act prohibits Informers heretofore restrained, to pursue Actions popular. No Informer shall compound with any Defendant, before Answer, nor then without Leave of Court, under the Penalty of 10 *l.* and the Pillory: No Man may be an Informer who is disabled by Misdemeanors. 31 Eliz. c. 3.

The Plaintiff shall be barr'd by Traverse, if the Action be not laid in the County where the Offence was done: But this Act does not affect Informations of Officers, nor Actions for Champerty, buying of Titles, Extortion, concealing

Additions.

Customs, Forestalling, &c. the Penalty amounting to 20 *l.* for in these Cases the Offence may be laid in any County.

Popular Actions where the King only hath the Forfeiture, to be commenc'd in two Years; where an Informer hath a Part, in one Year; unless a shorter Time is limited by the Statute.

4 & 5 W. & M. c. 18. Recognizances to be taken by Justices for Informers to prosecute, and abide the Order of the Court, &c.

4 & 5 Ann. s. 16. Suits in the Admiralty for Seamen's Wages, to be prosecuted in six Years: And if any Person, against whom Cause of Action for Seamen's Wages, Trespas, Account, Case, &c. shall be beyond Sea; the Plaintiff to bring his Action within the Time limited by this Act, and Stat. 21 Jac. 1. after his Return.

Additions.

1 H. 5. c. 5. **I**N original Writs, where Exigent shall be awarded, &c. Additions of the Defendant's Condition, and Place of Abode are to be inserted. And Clerks of Chancery omitting Additions shall be fined. Outlawries prosecuted where the Writs have not such Additions to be void, and Surplusage of Addition shall not prejudice.

The Place of Abode is likewise expressly required in Indictments, and this Omission is not helped by Stat. 8 H. 6. *Of Amendments*, for it is excepted out of that Act.

Admeasurement of Dower, &c.

9.

In Indictments the Town is likewise to be named where the Fact was done, and also the County; but if this last be in the Margin, it is well enough.

Admeasurement of Dower, &c.

A Writ of Admeasurement of Dower may be brought by a Guardian, but the Heir shall not be barred.

Stat. Westm.

2. c. 7.

13 E. 1.

Admeasurement to be made if the Defendant do not appear, and if he does appear, the Plea shall proceed.

As to Admeasurement of Pasture, upon a second Over-charge after admeasuring, the Remedy shall be by Writ, and the Plaintiff to have Damages, and the King the Value of the Beasts. The Sheriff is to enquire of the Value, &c.

Stat. Westm.

2. c. 8.

13 E. 1.

By this Statute, Keels, Boats, Wains, &c. are to be admeasured, between Lady-Day and Michaelmas, of which three Days Notice to be given. Boats, Keels, &c. carrying Coals before Admeasurement, to be forfeited, &c.

6 & 7 W. 3.

c. 13.

Adm.

Administrators.

31 E. 3. c. 11. **N**EXT Friend of the Intestate to be deputed Administrator by the Ordinary, who shall have the Benefit and charge of an Executor.

21 H. 8. c. 9. This Statute directs Administration to be granted to the Widow, or next of Kin to the Intestate, and Administrators as well as Executors to make true Inventories of Goods in the Presence of two Creditors, the next of Kin, or two or more Neighbours, and deliver them in upon Oath to the Ordinary. A Creditor or other Person may be likewise Administrator, where Administration is neglected, &c.

No Fee is to be given for Letters of Administration, where the Goods are under the Value of 5 *l.* and if above, and exceed not 40 *l.* the Officer's Fee is only 2 *s.* 6 *d.*

22 & 23
Car. 2. c. 10. Ordinaries, &c. upon their granting Administration to take Bonds with Sureties for the faithful Discharge of the Trust, rendering Accounts, &c. and the Ordinaries, &c. may call Administrators to Account, and order Distribution.

After the Debts, Funeral, and other just Expences are allowed, the Surplusage to go, one Third to the Wife of the Intestate, and the Residue divided amongst his Children and their legal Representatives. Children advanced in the Intestate's Life-time to a full Share, excepted; but the Heir at Law to have an equal Share.

Ibid. Stat.

If there be no Children nor Representatives, one Moiety shall be allotted the Wife, and the Residue equally to the next of Kin; and if there be

be no Wife, but Children, it shall be distributed amongst the Children; and if no Children nor Wife, amongst the next of Kin in equal Degree. No Representatives to be admitted after Brothers and Sisters Children; and no Distribution shall be made till one Year after the Intestate's Death.

The preceding Act not to extend to the 29 Car. 2. Estates of Feme Coverts that die intestate; and c. 3. their Husbands may have Administration of their personal Estates.

An Administrator *de bonis non* may sue a Scire 30 Car. 2. *Facias*, and take Execution upon a Judgment. c. 6.

This Statute makes the Act of 22 & 23 Car. 2. 1 Jac. 2. and also the Acts 29 & 30 Car. 2. perpetual; c. 17. and orders that no Administrator shall be cited into any Ecclesiastical Court to render an Account, otherwise than by Inventory, unless at the Instance of the next of Kin, Creditor, &c.

If Children die after the Death of the Father, without Wife or Child, the Mother and every Brother and Sister, and their Representatives, shall have equal Shares.

The Customs of the City of London, and Province of York, &c. are saved.

Administrators not liable to pay Costs by this 8 & 9 W. 3. Act; though in Actions for wilful and malicious c. 11. Trespass, the Plaintiff shall recover against other Persons Damages and full Costs.

Personating Relations, &c. of Seamen, and 9 & 10 W. 3. taking Letters of Administration, or forging c. 41. Letters of Attorney, &c. for Receipt of Wages, incurs a Forfeiture of 200 l. besides the other Penalties.

No more than 1 s. for the Seal, to be paid on suing forth Administration on the Death of a
Sea-

Admiralty.

Seaman, if the Chattels are not worth above 20 *l.* under the Penalty of 10 *l.*

4 & 5 Ann.
c. 16.

Wages due for Work done in any of the Royal Docks, not to be deemed *Bona Notabilia* to grant Administration.

See more of Administration, Executors,
Ordinary.

Admiralty.

13 R. 2. c. 5. **B**Y this Statute Admirals are not to meddle with any Thing but Matters done upon the Sea.

15 R. 2. c. 3. Admiral's Court has no Power in Bodies of Counties, nor with Wrecks. But of the Death of a Man, &c. in the main Stream of great Rivers, near the Sea, it has Cognisance.

2 H. 4. c. 11. For Non-observance of the Statute 13 R. 2. double Damages are recoverable, &c.

2 & 3 E. 6.
c. 6. Officers of the Admiralty not to take any Thing for a License for fishing in *Newfoundland*, &c. or for such Voyages, on Pain of forfeiting treble the Value of the Reward taken.

2 & 3 E. 6.
c. 19. 5 Eliz.
c. 5. The Lord Admiral, &c. has Power to hear and determine Offences for eating of Flesh on Fish-days, and relating to Fish taken at Sea.

8 Eliz. c. 5. A definitive Sentence in a Civil and Marine Cause by Delegates to be final.

2 W. & M.
c. 2. Authorities invested in the Lord High Admiral, to be used and executed by Commissioners. Officers on a Court Martial appointed by the Admi-

Admiralty.

Admiralty to take an Oath well and truly to try and determine, &c.

Ships taken as Prize, belonging to his Majesty's ^{4 & 5 W.}
Subjects, to be restored by Decree of the Court ^{& M. c. 25.}
of Admiralty to the former Owners, paying an
eighth Part of the Value for Salvage. The Lord
High Admiral, or Commissioners of the Admir-
alty, to give Instructions to Men of War relating
to Prizes, &c.

The Lord High Admiral or Three Commis- ^{7 & 8 W. 3;}
sioners may discharge any Seaman who has been ^{c. 21.}
registred, for any Offence committed, and de-
prive him of the Benefit of such Register.

Piracies are punishable by the Admiralty. All ^{11 & 12 W.}
Piracies, Robberies on the Sea, &c. in the Ad- ^{3. c. 7.}
miral's Jurisdiction, may be tried at Sea or Land,
by Commission under the Great Seal, or of the
Admiralty. Commissioners to be Seven, who are
to proceed according to the Course of the Ad-
miralty. The Register to transmit Copies of the
Proceedings to the Admiralty.

The Admiralty Jurisdiction in Scotland to be ^{5 Anna, c. 2.}
under the Lord High Admiral of Great Britain,
or Commissioners of the Admiralty, by the
Union.

The Admiralty to appoint Persons to receive ^{10 Anna,}
^{6d. per Month} out of Seamen's Wages, not in ^{c. 17.}
the Service of the Crown, for the better Support
of Greenwich Hospital.

Adbowson.

Advowson.

Stat. Westm.
2. 6. 5.
13 E. 1.

U Surpation of Churches during particular Estates, Coverture, Vacancy, &c. shall not bar an Heir at full Age, the Reversioner, Feme Discoverd, &c. from having the Writ *Quare Impedit* or *Darrein Presentment*. The same Form of Pleading to be used in *Darrein Presentment* and *Quare Impedit*, and the Plea not to stay for Plenarty, so as the Writ be purchased in six Months.

Stat. ibid.

If six Months pass hanging a *Quare Impedit*, and the Bishop presents by Lapse, the Patron shall recover Damages to two Years Value of the Church, against the Disturber. And when a Parson is disturb'd to demand Tithes in the next Parish by *Indicavit*, the Patron shall have a Writ to demand the Advowson of those Tithes.

If Partition of an Advowson be made on Record or by Fine, to present by Turn, and a Co-partner is disturbed, he may have Remedy upon the Roll, or Fine by *Scire Facias*. If one present twice together, the other is not thereby barr'd.

Privog. Reg.
c. 8. 17 E. 2.

Lapse of six Months not to prejudice the King's Presentation.

Stat. de Clero,
c. 3. 23 E. 3.

When the King collates to a Church in another's Right, his Title to be well examined, and the Patron to have Writs, &c.

25 E. 3. c. 7.

The Ordinary or Incumbent may counterplead the King's Title, where the King's Right is not tried, (on his taking a Suit against the Patron) when the Ordinary presents by Lapse.

Advowson.

11

By this Act Confirmation of Ministers, not to make any Usurpation against Patrons. ^{12 Car. 2. c. 17.}

Persons seized of any Advowson, &c. Right to any Free-School, Hospital, &c. being Papists, or in Trust for Papists, are disabled to present, &c. And the Chancellors of the Universities to have the Presentations. Such Trustees, &c. presenting without giving Notice to the Vice-Chancellor of the University, within three Months after the Avoidance, to forfeit 500*l*. ^{1 W. & M. Sess. 1. c. 26.}

Trustees to convey Advowsons, Rectories impropriate, &c. forfeited in *Ireland* to such Trustees as the Bishop of the Diocese shall nominate, for employing the Profits thereof for twenty Years, towards repairing or rebuilding other Parish-Churches; and afterwards in perpetual Augmentation of small Livings. ^{11 & 12 W. 3. c. 2.}

No Usurpation upon any Avoidance shall displace the Estate of the Patron, and turn it to a Right, but he may present upon the next Avoidance. Where Coparceners, Jointenants, &c. are seized of an Advowson, and a Partition is made to present by Turns, each of them shall be seized of his separate Estate. ^{7 Ann. c. 18.}

A Presentation or the next Avoidance granted for any Sum of Money, &c. to be void, and such Agreement deemed a Simoniack Contract. ^{12 Anne, c. 12.}

See more Church, &c.

Affidavit.

Affidavit.

16 & 17
Car. 2. c. 9.

THIS Statute orders Affidavits to be taken concerning Matters depending in the Court of the Dutchy Chamber of *Lancaster*, and filed, by Persons impower'd by the Chancellor of the Dutchy. Taking the Affidavit 1 s.

19 Car. 2. c. 5.

The Chief Justice, and other Justices of the King's Bench, or any two of them, the Justices of the Common Pleas, the Lord Treasurer, Chancellor, and Barons of the Exchequer, may by Commission impower Persons in the several Counties to take Affidavits of Things concerning Proceedings in their Courts, as Masters of Chancery in Extraordinary used to do. And the Judges of Assize in their Circuits may take Affidavits relating to any Thing depending, &c. Persons taking the Affidavit to receive but 1 s. besides the King's Duty on the Paper.

4 & 5 W. &
M. c. 4.

Upon Affidavit made of Recognizance of Bails, taken in the Country by Persons impower'd by the Justices of the King's Bench, Common Pleas, and Barons of the Exchequer, and that the same were duly taken, such Justices, &c. shall receive them upon Payment of the usual Fees.

9 & 10 W.
3. c. 15.

When Affidavit is made of inserting an Agreement in a Submission on Arbitration, that such Submission shall be made a Rule of Court, upon reading and filing the Affidavit in the Court chose, the same may be entred of Record in such Court, and a Rule of Court shall thereupon be made,

made, whereby the Parties shall be finally concluded.

Affidavit to be made of the Cause of delay 4 & 5 Ann.
tury Pleas. c. 16.

African Company.

THE Royal *African* Company to maintain 9 & 10 W.
all Forts, &c. in their Possession. And all 3. c. 26.
Persons may trade thither as well as the Com-
pany, paying a Duty of 10 per Cent. on Expor-
tation for maintaining the Forts, &c. and a fur-
ther Duty of 10 per Cent. on Importation. All
Persons paying the Duty to be protected in their
Trade as the Company. If Ships are cast away,
the Company to make Allowance for Money
paid. No Governor, &c. abroad to be a Fac-
tor or Agent; on Pain of 500 l.

By this Act two third Parts in Number and 10 Anna;
Value of the Creditors of the *African* Company, c. 27.
may allow them Time for Payment of Debts, or
Compound, &c.

Age.

NON AGE of the Heir of a Disseisor or *Westm. 1. c.*
Disseisee, where a Writ of Novel Disseisin 46. 3 E. 1.
is purchased, and the Disseisor dying before the
Assise pass'd, the Plaintiff brings a Writ of Entry
against the Heir, shall not prejudice an Assise.

C

If

- Stat. Glouc.* c. 2. 6 *E.* 1. If an Infant be driven to his Writ for Recovery of his Inheritance, the Inquest to pass notwithstanding his Nonage.
- Westm.* 2. c. 40. The Suit of a Woman or her Heir shall not be delayed by the Minority of the Heir.
- 13 *E.* 1. c. 15. If an Heir that is a Minor be disturbed, so
48 *E.* 3. c. 1. that he cannot bring his Assise; or an Infant is Eloined, his *Prochein Amy* shall be admitted.
- 13 *E.* 1. All Persons, except Infants, Feme Coverts,
1 *R.* 3. c. 7. &c. by Fine proclaimed and certified according to Law, shall be excluded, if they pursue not their Right by Action or Entry in five Years.
- 1 *Jac.* 1. c. 4. Persons sending Children beyond Sea to be
3 *Jac.* 1. c. 5. instructed in Popery are liable to a Penalty of 100*l.* and such Children are rendered incapable to enjoy any Lands, &c. unless being eighteen Years of Age, or above, they take the Oaths; and in the mean time the next of Kin to enjoy, &c.
- 21 *Jac.* 1. c. 23. Infancy in the Plaintiff who appears by Attorney is help'd by Verdict.
- 5 & 6 *W.* c. 13. When a Charter of Pardon is pleaded for Felony by an Infant, Feme Covert, &c. they are to find Sureties for their good Behaviour.
- 7 & 8 *W.* 3. c. 25. No Person is capable of being elected Member of Parliament, or of voting in Elections, that is under the Age of Twenty-one.
- 9 *Ann.* c. 21. Guardians may subscribe for Infants to the Stock of the *South-Sea Company*, &c.
- 10 *Ann.* c. 27. Agreements made by Guardians and Trustees, with Creditors in the *African Company*, allowing them Time to bind Infants, &c.
Infants to convey by Decree in Chancery.
See *Chancery*.

Aid.

WHERE a Charter or Feoffment made by 4 E. 1. c. 1. the King binds others to Warranty, the Heir shall have Aid; but where the King only confirms another Man's Act, or no Clause of Warranty is in the Charter, the Tenant shall not have Aid.

In Dower the King's Grantee of a Ward shall not have Aid.

Alehouses, &c.

Justices of Peace to set the Price of Ale and 25 H. 8. c. 4. Beer, sold by Alehouse-keepers, &c.

None shall keep an Alehouse without being 5 & 6 E. 6. licensed in Sessions, or by two Justices, (*Quorum* c. 25. *anns*) on Pain of three Days Imprisonment, and a Fine imposed by the Quarter-Sessions. The Justices have Power to put down Alehouses, and to take Recognizances for keeping good Orders, &c. But this Act not to restrain selling of Ale, &c. in Fairs.

Alehouse-keepers, &c. permitting Townsmen 1 Jac. 1. c. 9. to sit tippling, are liable to the Penalty of 10 s. and in Default of Payment to be imprisoned till it is satisfied. Selling less than a full Quart of Ale for a Penny, forfeit 20 s. And Officers neglecting to levy the Penalties to forfeit 40 s. Persons tippling in Alehouses to forfeit 3 s. 4 d. or to sit in the Stocks four Hours.

Alehouses, &c.

- 4 *Jac.* 1. c. 4. Selling Ale to an unlicensed Alehouse-keeper incurs a Penalty of 6*s.* 8*d.* for every Barrel. The Prosecution to be in the Quarter-Sessions.
- 4 *Jac.* 1. c. 5. A Person convicted of Drunkenness to forfeit 5*s.* or be put in the Stocks six Hours.
- 7 *Jac.* 1. c. 10. And Alehouse-keepers convicted, disabled to keep an Alehouse for three Years.
- 21 *Jac.* 1. c. 7. One Witness, or the Party's own Confession, sufficient; and, the Oath of the Party confessing shall convict others.
- 1 *Car.* 1. c. 14. Alehouse-keepers, &c. permitting any Persons whatsoever to sit tippling, incur the Penalty of 1 *Jac.* c. 9. Vintners, keeping also Inns or Victualling-houses, within this Act.
- 3 *Car.* 1. c. 3. Persons keeping Alehouses without Licence to forfeit 20*s.* to the Poor, or be whipp'd. And for the second Offence to be committed to the House of Correction for a Month.
- 11 & 12 *W.* 3. c. 15. By this Act Persons retailing Ale or Beer, Alehouse-keepers, &c. are to sell their Ale by a full Quart or Pint, according to the Standard in the Exchequer, mark'd from the said Standard, or forfeit a Sum not exceeding 40*s.* nor under 10*s.* Sub-Commissioners or Collectors of Excise to provide substantial Ale Quarts and Pints in every Town in their Divisions, or be liable to the Penalty of 5*l.* And the Mayors or Chief Officers not marking such Measures to forfeit 5*l.* and treble Damages. This Act not to extend to Colleges or Halls in Universities.
- 11 & 12 *W.* 3. Sellers of Brandy or other distill'd Liquors without Licence, are liable to the Penalties of 1 *Car.* 1. c. 14. inflicted on Alehouse-keepers.
- 12 *Geo.* 1. c. 12. Alehouse-keepers in *London* and *Westminster* to pay yearly a Sum not less than 1*l.* nor above 6*l.* Duty; and Permissions to be granted by

Aliens.

21

Commissioners, &c. not taking them out, incurs a Penalty of 20 *l*.

No Licence shall be granted to keep an Ale-^{2 Geo. 2. c.} house, but at a general Meeting of Justices of^{23.} Peace on the first of September, &c. And Persons selling Brandy by Retail, are to be licensed as common Alehouse-keepers.

Alienation.

NONE may alien Lands held of the King^{17 E. 2.} by Knight's Service, &c. in such Quantities, as that the Residue will be insufficient for the Service.

Licences of Alienations (except upon raising^{1 Car. 1. c. 3.} of Uses by the Covenantor) shall be general. Officers Fees for drawing, pleading, entring and finishing a Licence of Alienation, *1 l. 6 s. 8 d.*

The King may grant to any Person or Persons,^{7 & 8 W. 3.} Bodies Politick, &c. Licence to alien in Mort-^{c. 37.}main, and to purchase and hold in Mortmain in Perpetuity; and such Lands, &c. so alien'd not to be subject to any Forfeiture.

Aliens.

ALIEN Merchants shall have Liberty to go,^{9 H. 3. c. 3.} come or stay in this Kingdom, unless openly prohibited, or in Time of War.

- 28 E. 3. c. 13. Inquests of Jurors, where an Alien is Party, to be *de medietate Lingua*.
- 7 R. 2. c. 12. No Alien shall purchase a Benefice in this Realm, nor occupy the same without the King's Licence, in Pain of a *Premunire*.
- 31 H. 6. c. 4. Strangers in League with the King, or having his safe Conduct, attached in their Persons or Shipping by his Majesty's Subjects, to be enlarg'd, and Restitution made by the Lord Chancellor.
- 1 R. 3. c. 9. An Alien Artificer not to exercise any Handicraft Trade in *England*, nor make any Cloth, or sell Wares by Retail, on Pain of forfeiting his Goods. Nor take any Apprentice but a Subject born, under the Penalty of 20 *l*.
- 14 H. 8. c. 2. No Stranger-Artificer to take any Apprentice, but such as is born under the King's Obedience, on Pain of 10 *l*. And not to keep above two Journeymen, except they be such Persons. Wardens of Handicrafts in *London* to assign proper Marks for Strangers Wares. Selling Wares without such Mark to forfeit double the Value. But this Act extends only to Joyners, Coopers, Blacksmiths, &c.
- 21 H. 8. c. 16. A Stranger-Artificer not to keep in his House at one time above two Strangers Servants, but as many *Englishmen* Servants and Apprentices as he can get. No Strangers, but Denizens to keep House or Shop under the Penalties *supra*, neither shall they assemble but in the Common Halls of their Mysteries.
- 14 & 15 H. 8. c. 4. *Englishmen*, sworn Subjects to any Foreign Prince, shall pay such Impositions as Aliens do; but returning and dwelling here again, to be restored to their Liberties.
- 22 H. 8. c. 8. Aliens born, made Denizens, to pay such Customs, &c. as they did before such Denization.

tion. Aliens may bring Wines into this Kingdom.

38 E. 3. c. 11.

This Statute enacts, That all Strangers made 32 H. 8. c. 15.
Denizens are to be obedient to the Statutes; and
every Alien to observe the Laws of the Kingdom :
Neither Strangers nor Subjects to keep above four
Servants Strangers, on Pain of 10*l.* And no
Stranger (except Denizens) to take a Lease of
any House or Shop, under the Penalty of 5*l.*

None to retain any Stranger in the Art of Felt- 1 Jac. 1.
c. 17.
making, on Pain to forfeit 5*l.* per Month.

Any Person (Native or Foreigner) may set up 15 Car. 2.
c. 15.
in any Place in *England* or *Wales*, the Trade of
dressing Hemp or Flax, and the Trade of ma-
king Twine or Nets for Fishery, or Cordage and
Tapestry Hangings.

No Alien shall be a Merchant or Factor abroad 12 Car. 2.
c. 18.
in the Plantations, under the Penalty of forfeit-
ing all his Goods.

Clauses for paying of extraordinary Customs by 25 Car. 2.
c. 6.
Aliens for Native Commodities exported, (ex-
cept Coals) repeal'd. And such Merchants shall
pay for all such Merchandize exported, such
Customs only as the King's natural-born Sub-
jects.

No Alien naturaliz'd in *Ireland*, reputed his 10 W. 3. c. 1.
Majesty's natural-born Subject, within this Sta-
tute. Act for disbanding the Army.

By this Act, before the Succession of the Crown 1 Ann. c. 14.
of *Scotland* was settled as the Crown of *Eng-*
land, Natives of *Scotland* adjudged Aliens.

See more, Merchants, Staple, &c.

Ambassadors.

9 & 10 W. 3. c. 44. **T**HERE is a Duty of 5 *l. per Cent.* laid by this Act on *East-India* Goods imported, to be paid to the General Society, for the Maintenance of Ambassadors, &c.

7 Ann. c. 12. This Statute prohibits Arrests of Ambassadors, publick Ministers, and their Servants; and all Processes to be void. Merchants, &c. within the Statutes of Bankrupt, not to be protected by Ambassadors. And the Names of Ambassadors Servants to be registred in the Secretary's Office.

Amendments of Law-Processes, &c.

14 E. 3. c. 6. **A** Process defective by Misprision of a Clerk, shall be amended.

9 H. 5. c. 4. The Justices may amend it before or after Judgment.

4 H. 6. c. 3. Made perpetual, but not to extend to *Wales*.

8 H. 6. c. 12. No Record to be reversed for Error assigned by Reason of Razing, Interlineation, &c. The Judges may reform all Defects in any Record, Process, Writ, or Return, (except Appeals, Indictments of Treason, or Felony, and Outlawries thereupon.) And Variance between a Record and the Certificate, shall be amended by the Judges; the same of a Record, &c. exemplified or inrolled, for a Variation from the Exemplification, &c.

The

Amendments of Law-Processes, &c. 25

The Justices may amend the Misprisions and *H. 6. c. 13.* Defaults of Clerks in Court, Sheriffs, and all other Officers, in any Process, &c. having one Syllable or Letter, &c. too much or too little.

By this Act, upon Demurrer joined in any *Stat. 4 & 5* Court, the Judges to give Judgment, without *Anna, For* regarding Imperfection in any Writ, &c. except *Amendment of the Law.* it be set down as the Cause of Demurrer. And no Exception shall be taken for an immaterial Traverse, &c. Nor Omission of *Vi & Armis,* *contra pacem,* &c. in Indictments.

The Plaintiff's Attorney to file his Warrant *Warrants* the Term he declares, and the Defendant the fil'd, *Plead-* Term he appears. Defendant in any Suit, or *ing, &c.* Plaintiff in Replevin, may plead several Matters; but if any such Matter be insufficient, Costs shall be given. And upon quashing Writs of Error for Defect, the Defendant to have Costs.

Venire's to be awarded of the Body of the Writs of County, but nothing to extend to Appeals of *Venire, Sub-* Murder, Felony, or Information on Penal Sta- *poena's, &c.* tutes. The Courts at *Westminster* may order Special Writs of *Disfringas*, and appoint two Persons to shew Jurors their View. No *Subpoena, &c.* shall issue out of any Court of Equity, till a Bill filed (except Injunctions to stay Waste or Law Suits). And upon Dismission of a Bill the Plaintiff to pay full Costs.

In Debt on single Bill, or *Sci. Fa.* upon a *Scire Facias,* Judgment, the Defendant may plead Payment in *Bail-Bonds* Bar; as he may upon Bond, if the Debt be paid *assigned.* before the Action brought: And also pending the Action, paying the Debt and Costs. Sheriffs, &c. taking Bail, at the Request of the Plaintiff, to assign the Bail-Bond, &c. by Indorsement.

No

**Claims on
Fines.**

No Claim or Entry shall avoid any Fine, &c. in the Common Pleas, &c. unless an Action be commenced in one Year after such Entry, &c. and prosecuted. Declarations of Uses by Deed made after Fines or Recoveries, to be good in Law. Conveyances of Manors, Lands, Reversions, &c. to be good without Attornment: But Notice must be given to Tenants. Warranties made for Life descending on him in Reversion or Remainder, and collateral Warranties by Ancestors having no Estate of Inheritance in Possession, to be void against the Heir.

**Attornment
and War-
ranties
ousted.**

11 Geo. 2.
c. 19.

Attornments of Lands, &c. made by Tenants to Strangers, shall be void, and the Landlord's Possession not affected; so as not made pursuant to some Judgment at Law, or with Consent of the Landlord, &c.

Amerciements.

Mag. Chart.
c. 14.
9 H. 3.

A Freeman not to be amerced for a small Fault; and in all Cases, proportionable to the Offence. Peers to be amerced by Peers, &c.

Martb. c. 18.
32 H. 3.

Chief Justices, or Justices in Eyre, to amerce for Default of Summons.

Westm. 1. c. 6.

No Place or Person to be amerced without Cause, and according to the Trespass, &c. Freemen, &c. by their Peers.

See more, **Fines and Forfeitures.**

Annuities.

BY this Act, Annuities are granted at 10 *l.* 4 *s.* 5 *W.* & for every 100 *l.* paid on Survivorship of *M.* c. 3. Lives, and on the Death of any Nominees, their Shares to be divided amongst the rest living.

Annuities for one Life 14 *l.* per Cent. for two 5 & 6 *W.* & Lives 12 *l.* and upon three Lives 10 *l.* per Cent. *M.* c. 20.

Also granted Annuities of 10 *l.* for every 3 Ann. c. 2. 150 *l.* to be paid for 99 Years.

Annuities granted after the Rate of 5 *l.* per 1 Geo. 1. c. 19. Cent. to raise Money for publick Services; the Proprietors entitled to them for ever, subject to Redemption, &c.

Act for redeeming Funds settled to pay off 3 Geo. 1. c. 7. Annuities; and establishing a general yearly Fund for future Payment of Annuities at the Bank, &c.

The *South-Sea* Company empowered to re- 6 Geo. 1. c. 4. deem Annuities, &c. by Payment, or taking in Subscriptions for Stock.

Acts for raising Money by Sale of Annuities 1 Geo. 2. c. 13. to the Bank at 4 *l.* per Cent. charged upon the 2 Geo. 2. c. 3. Duties on Coals, &c.

By Overplus Money in *Exchequer* called the 4 Geo. 2. c. 3. *Sinking-Fund*, one Million of *South-Sea* Annuities to be redeem'd and paid off. The like to be 6 & 9 Geo. 2. done, by each of these Acts.

Apothecaries.

32 H. 8. c. 40.
1 M. P. 1.
Sess. 2. c. 9. **A**pothecaries Wares in *London* to be searched by Physicians chosen by the College; and if they find him faulty, to cause them to be burnt and destroyed. Apothecaries, &c. resisting the Search, shall forfeit 5 *l.* increased to 10 *l.* by 1 M. c. 9.

6 W. 3. c. 4. This Act exempts Apothecaries free of the Society in *London*, and others using the Trade of an Apothecary in *England* and *Wales*, having served seven Years Apprenticeship to it, from serving on any Juries, executing the Office of Constable, or any other Parish Office, for so long Time as they exercise their Art.

10 Ann. c. 14. The preceding Statute is continued by this Act for the Space of eleven Years. Apothecaries to the Army, &c. to make up their Chests of Medicines at *Apothecaries-Hall*, and to be openly viewed, under the Penalty of 40 *l.*

10 Geo. 1.
c. 19. Censors appointed by the College of Physicians, with Assistance of the Wardens of the Apothecary's Company in *London*, may enter Houses or Shops of Apothecaries, &c. and examine Medicines, and burn or destroy those that are defective; subject to appeal to the College, &c.

Appeals.

Appeals.

NO Man shall be imprison'd upon the Ap- *Mag. Chart.*
 peal of a Woman, for the Death of any *c. 34. 9 H. 3.*
 but her Husband.

Accessary in an Appeal not to be outlawed *Westm. 1.*
 before the Principal is attainted. *c. 14. 3 E. 1.*

Declaration in an Appeal, mentioning the Fact, *Stat. Glouc.*
 the Day, the Hour, King's Reign, Place, and *c. 11.*
 with what Weapon; not to abate for want of *9 E. 1.*
 fresh Suit; if sued in a Year.

False Appeals by Malice, liable to Fine, Da- *Westm. 2.*
 mages, and a Year's Imprisonment. *c. 12. 13 E. 1.*

If the Appellees will be tried by the County, *Stat. Appeal*
 the Sheriff shall cause an Inquest to appear. *28 E. 1.*

When any are appeal'd by Approvers, Appeals
 to be brought to the Gaol to answer before the
 same Justices.

Appeals of Things done within the Realm, to *1 H. 4. c. 14.*
 be tried by the Laws thereof; and those out of
 the Realm by the Constable and Marshal.

The Wife or Heir to commence their Appeal *3 H. 7. c. 1.*
 in a Year before the Sheriff and Coroner or Ju-
 stices of *B. R.*

Appeals to be commenced in the County where *2 E. 3 E. 6.*
 the Party wounded shall die, as well against the *c. 24.*
 Principal as Accessary; and if the Accessary be
 guilty in another County.

When an Appeal in an Ecclesiastical Cause is *24 H. 8. c. 12.*
 made before the Bishop or his Commissary, in
 fifteen Days, it may be removed to the Arch-
 bishop; and if before an Archdeacon, to the
 Court of Arches; and from the Arches to the
 Archbishop; and when the Cause concerns the
 King,

Appearance.

King, Appeal may be brought in fifteen Days from any of the said Courts, to the Prelates assembled in Convocation.

23 H. 8. c. 9. No Person to be cited to appear out of the Diocese, except by some Ecclesiastical Person, or on Appeal, &c. on Pain of 10 l. Archbishop may cite for Heresie in any Diocese within his Province.

13 Eliz. c. 8. Suing an Appeal to Rome is made Treason by this Statute.

Appearance

10 H. 6. c. 4. **T**HIS Act enjoins Filazers, &c. not to make Entry that the Plaintiff *obtulit se in propria persona sua*, unless the Plaintiff actually appear in Person, and make Affidavit he is the same Man.

18 H. 6. c. 9. The above Statute is made perpetual. And Officers to observe it under the Penalty of 40 s. Attornies not having Warrants entred upon Record, where Proceſs of Exigent awardable, liable to the same Penalty.

4 & 5 W. & M. c. 18. Persons outlaw'd may appear by Attorney, except for Treason or Felony, and reverse the same without Bail. And where special Bail is not required, the Sheriff is to accept an Attorney's Engagement under Hand for Appearance. But where Special Bail is required, the Sheriff is to take good Security for the Appearance.

See Arrests, Stat. 12 Geo. 1. &c.

Apportionment.

ON Tenants in Fee selling any Part of their ^{18 E. 1. c. 2.} Lands, Apportionment shall be of Services to the chief Lord, according to the Quantity of Land sold, and Feoffee answer for the same.

By the Non-tenure of any Parcel, Appor- ^{25 E. 3. c. 16.} tionment to be *pro rata*.

Appraisers.

Appraisers sworn to make true Appraisment; ^{13 E. 1.} and valuing Goods too high, shall take them at the Price appraised. But if a Debtor's Goods are sold for less than they are worth, he is without Remedy by this Act.

Apprentices.

Makers of Worstedes, Says, &c. in *Norfolk*, ^{12 H. 7. c. 1.} to take Apprentices, so as not to have above two at one Time.

None to make Mats, Coverlets, &c. in *Nor-* ^{5 & 6 E. 6.} *folk*, but those who have served seven Years ^{c. 24.} Apprenticeship, or who are admitted by Justices of Peace, &c.

Appren-

- 28 H. 8. c. 5. Apprentices or Journeymen not to be restrained by a Corporation from keeping Shop, under the Penalty of 40 *l*.
- 2 P. & M. c. 21. None shall be a Weaver but he who hath been seven Years Apprentice, on Pain of 20 *l*. Tanners the same, except the Widow, Children, &c. And Silk-Throwers the same under the Penalty of 40 *s*. a Month.
- 8 Eliz. c. 11. Persons working Hats or Felts with Foreign Wool, and not having serv'd seven Years as an Apprentice or Covenant-Servant, forfeit the Goods, and 5 *l*.
- 5 Eliz. c. 4. Justices of Peace to reconcile Differences between Masters and Apprentices, and discharge the latter, the Fault being in the Master, or otherwise commit the Apprentice; and none which have not served seven Years in any Art or Mystery, to set up any Trade, on Pain of 40 *s*. for every Month.
- 43 Eliz. c. 2. Overseers of the Poor, with the Assent of two Justices, to place forth poor Children Apprentices, viz. a Man-Child till he is twenty-four, and a Woman-Child till twenty-one Years of Age, or Marriage.
- 7 Jac. 1. c. 3. Persons receiving Money with poor Apprentices, to give Security for Repayment of it in seven Years, for the binding out others; Persons refusing to accept a poor Apprentice forfeit 10 *l*. Stat. 8 & 9 W. 3. c. 30.
- 10 & 11 W. 3. c. 11. Apprentices, &c. going into the Army, to set up their Trades in any Part of the County where born, tho' they did not serve out their Times before their commencing Soldiers.
- 2 Ann. c. 6. Two Justices of Peace, Mayors, &c. and Churchwardens, &c. with their Consent, to put out poor Boys above ten Years of Age, Apprentice

Apprentices.

33

prentice to the Sea-Service; and Apprentices may be turned over to the Sea-Service.

This Act requires 6 *d.* in the Pound for every 8 *Ann. c. 9.* Pound under fifty given with Apprentices, and 12 *d.* in the Pound for all Sums given exceeding it, as a Duty to the Crown; Monies given with poor Apprentices excepted. The Statute mentions Monies paid or agreed for five Years in the putting out any Clerk, Apprentice, &c.

The Duty on Apprentices Indentures, to be *Stat. ibid.* paid by Masters in a Month, in the Weekly Bills of Mortality, and in any other Part of *England* within two Months after executed, &c. And if the full Sum agreed be not inserted in Indentures, or the Duties not paid, Indentures shall be void, and Apprentices not capable of following Trades. And Indentures are to bear Date the Day when executed, on Pain of forfeiting double the Sum given with the Apprentice. Made perpetual by 9 *Ann. c. 21.*

There have been several Acts to discharge ^{10 & 12 *Ann.*} Persons from Penalties, and make Indentures ^{*Geo. 1. & 2.*} good in Law, on Payment of Duty omitted to be paid, in a further limited Time, &c.

This Act which makes it Felony to steal any ^{12 *Ann. c. 7.*} Goods, &c. out of a Dwelling-house, or Out-house, to the Value of 40 *s.* excepts Apprentices under fifteen.

D

Appro.

Appropriations.

- 15 R. 2. c. 6. **O**N granting Licences for Appropriations, Vicars shall be sufficiently endowed, &c. out of the Profits of Churches appropriated.
- 4 H. 4. c. 12. In every Church appropriate, a Secular Person to be ordained Vicar, canonically instituted and inducted, and endowed by the Discretion of the Ordinary, to do divine Service, and keep Hospitality, &c.
- 31 H. 8. The King's Patentees, tho' Laymen, are capable of Parsonages appropriate of dissolved Monasteries.
-

Approbement.

- Stat. Merton.*
c. 4. 20 H. 3. **L**ORDS of Wastes or Commons may approve against their Tenants Part thereof, so as they leave sufficient Common besides.
- Wilm. 2.*
c. 46. 13 E. 1. And Neighbours as well as Tenants claiming Common of Pasture, shall be bound by it. Bounds of Approbement to be made good, when thrown down, &c.
- 3 & 4 E. 6.
c. 3. The Plaintiff shall recover special Damages upon the Statutes *supra*. These Acts not to extend to Houses built on the Waste or Common, not having above three Acres of Ground belonging to them, nor to any Garden, &c. not exceeding two Acres.
- 43 Eliz. c. 11, Contracts between the Lords or Commoners, of Lands subject to surrounding by Water, and
Drain-

Arms, Armour, Army.

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Drainers of such Lands, to be good in Law:
But this Act not to prejudice Ports or Havens.

Arbitration. See Affidavit.

Arms, Armour, Army.

THE King to prohibit Force of Arms, and *Stat. 7 E. 1.*
other Breaches of the Peace.

None to be charged to arm themselves, but *1 E. 3. c. 3.*
as in former Times; nor to go out of their
Counties, but when there are dangerous Enemies.

No Persons to appear with Force and Arms *2 E. 3. c. 3.*
before the King's Justices, or ride armed in Affrays, on Pain of forfeiting their Armour.

By this Statute a Fine may be imposed. *20 R. 2. c. 13.*

Imbezilling *20 s.* worth of the Royal Ordnance or Munition, to hinder the Service, &c. *31 Eliz. c. 4.*
made Felony.

Armour, Gunpowder, Munition, &c. of *3 Jac. 1. c. 5.*
Popish Recusants Convict to be taken from them.

Iron, Armour, Muskets, Pistols, Swords, &c. *12 Car. 2. c. 4.*
may be transported: But the King by Proclamation may prohibit the Transportation of Gunpowder, or any Ammunition.

By this Act it is made unlawful to import *1 Jac. 2. c. 8.*
Gunpowder, Arms, &c. by Way of Merchandise without the King's License. Imported otherwise to be forfeited, and treble Value. And no Person to obtain any Patent for importing Gunpowder, Arms, &c. other than for furnishing the

King's Stores, under the Penalties 16 R. 2. And such Patents to be void.

10 W. 3. c. 1. This Act was made for disbanding of the Army, except 7000 Men of his Majesty's Natural-born Subjects. All Regiments in *Ireland*, not being his Majesty's Natural-born Subjects, were disbanded, and all others except 2000 Persons. Officers exercising any Authority over their Soldiers, after disbanded, incur a *Pramunire*. But Foreign Forces hindered by contrary Winds from being transported, not liable to Penalties for continuing together.

7 Ann. c. 8. Money lent on the Land-Tax, and the Malt-Act, after all the Loans, &c. are paid, to be appropriated to defray the Charges of the Army and Sea-Service, Guards and Garrisons, &c.

12 Ann. Seff. Army-Debentures unclaimed, and the Stock, 2. c. 9. vested in her Majesty, for the Use of the Publick.

Arrests.

Westm. 1. c. 35. 3 E. 1. **N**ONE, except the King's Ministers, to arrest any Person passing through a Liberty, not holding thereof, and the Trespas, &c. done out of the Liberty.

50 E. 3. Clerks officiating Divine Service, not to be 1 R. 2. c. 15. arrested on Pain of Imprisonment.

8 Eliz. c. 2. Maliciously causing Persons to be arrested, the Prosecutors shall be imprisoned six Months, forfeit 10 *l.* and treble Damages.

13 Car. 2. Persons arrested upon Writs out of *B. R.* or c. 2. *C. B.* upon which they are Bailable by the Statute

tute of 25 H. 6. c. 10. not to give Security for Appearance in any Sum above 40 l. unless the Cause of Action be exprefs'd.

Officers not to carry Persons under Arrest to 22 & 23 any Tavern, Alehouse, &c. without their Consent; or demand more for the Arrest or Waiting, than allowed by Law, nor take for the Keeping, &c. more than is reasonable. Car. 2. c. 2.

Writs, Warrants, &c. not to be served on the Lord's Day, except for Treason, Felony, or Breach of the Peace. 29 Car. 2. c. 7.

This Act which imposes a Stamp-Duty, orders that every Officer or Clerk in the Courts at Westminster, shall set down the Day and Year of his signing any Writ of Arrest upon such Writ, under the Penalty of 10 l. 9 & 10 W. 3. c. 25.

This Statute was made for taking up Prisoners (escaping out of the King's Bench and Fleet) by Virtue of an Escape-Warrant, to be granted upon Oath made before a Judge of the Court where the Action is entred. 1 Ann. c. 6.

Persons may be arrested in pretended privileged Places, and the Sheriff, &c. may take the Posses Comitatus with them; Officers neglecting forfeit 100 l. Persons resisting the Officers forfeit 50 l. And making Rescous 500 l. to the Plaintiff. 8 & 9 W. 3. c. 27.

No Warrants to make Arrests shall be delivered out by Sheriffs, &c. until they have the Writs, on Pain of 10 l. 6 Geo. 1. c. 21.

On Writs out of a Superior Court, where the Cause of Action is under 10 l. and out of Inferior Courts when under 40 s. the Defendant not to be arrested, but personally served with a Copy of the Process; and not appearing at Return,

turn, the Plaintiff may enter Appearance for him, and proceed, &c.

2 Geo. 2.
c. 22.

No Bailiff shall carry any Person arrested, to a Tavern, or Alehouse, or private House, without his Consent, &c. nor carry him to Prison within 24 Hours; or demand any greater Sum than the Law allows, for the Arrest or Waiting 'till Bail is given, &c. Or receive more for a Night's Lodging, or Day's Diet, &c. than allowed by Justices of Peace.

5 Geo. 2.
c. 27.

The 12 Geo. 1. to prevent *vexatious Arrests* continued; and when Cause of Action is under 10*l.* &c. the Defendant to be served with a Copy of the Process in *English*, and Notice thereon to appear at the Return, &c. And in in such Actions, special Writs shall not be made out, on the Penakly of 10*l.* Fee for making and serving the Copy of the Process and Notice to be no more than 5*s.* out of Superior Courts, and 1*s.* the Inferior.

Artificers.

2 & 3 E. 6.
c. 13.

Artificers, &c. not to conspire together relating to Work or Wages, on Pain of forfeiting for the first Offence 10*l.* &c.

5 Geo. 1.
c. 27.

Persons contracting with Artificers to go out of the Kingdom, incur a Penakly of 100*l.* and three Months Imprisonment; and the Artificers going abroad, not returning in six Months after Warning, are incapable of Lands by Discent, Devise, &c. and to be deemed Aliens.

They

Assaults, Assets.

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They are to give Security not to depart the Realm.

See Aliens.

Assaults.

BY this Statute, if any one assault the Ser-^{5 H. 4. c. 6.}vant of a Member of Parliament, Proclamation shall be made that he surrender himself in B. R. in a Quarter of a Year. Not doing it, to pay double Damages, and make Fine and Ransom at the Will of the King.

The like Law is made with respect to any^{11 H. 6. c. 11.} Assault made on a Member of Parliament, or any of the King's Council, &c.

Where there are several Defendants to any^{8 & 9 W. 3.} Action of Assault, &c. and one or more acquitted,^{c. 11.} the Person so acquitted shall recover Costs of Suit; unless the Judge certify there was a reasonable Cause for making them Defendants.

If any Person shall assault, or attempt to kill^{9 Ann. c. 16.} or strike a Privy Counsellor in the Execution of his Office, it is Felony without Clergy.

Assets.

LAnds of *Cestuy que Trust* liable to Executions,^{9 Car. 2. c. 3.} and Lands descending to an Heir, are Assets by Descent. And Goods which come to the Hands of Executors, are Assets personal.

D 4

By

29 Car. 2.
c. 3.

By this Statute Trusts in Fee-simple shall be Assets to Heirs; and Sheriffs to deliver Execution, &c. of Lands whereof others shall be seised in Trust. But no Heir, chargeable by reason of any Trust made Assets, shall, by reason of any Plea, suffering Judgment, &c. pay the Condemnation out of his own Estate.

2 & 4 W. &
M. c. 14.

When Action of Debt upon a Specialty is brought against an Heir, he may plead *Riens per Descent*, and the Plaintiff may reply, That he had Land as Assets from his Ancestor; and if it be found for the Plaintiff, the Jury shall enquire of the Value of the Lands descended, and Judgment be given accordingly; but if by Confession, &c. it shall be for the Debt and Damages, without any Writ of Enquiry.

Assise.

Mag. Chart.
c. 12. 9 H. 3.

Assises of Novel Disseisin, &c. are to be taken in the proper County by Justices.

Westm. 1.

c. 24. 3 E. 1. If a Disseisor be attainted on a Novel Disseisin, the Disseisee shall recover double Damages.

Westm. 1.

c. 25. 3 E. 1. For Estovers of Wood, Delivery of Corn, Toll, Passage, &c. Assise of Novel Disseisin may be brought. It shall also for Common, Fishing, &c. And if the Defendant fails to make good his Exception, he shall be adjudged a Disseisor, and pay double Damages.

Westm. 2. c.

46. 13 E. 1. Where Common of Pasture hath been usurped during Nonage, Coverture, Tenancy by the Curtesie,

Curtesie, &c. Action by Writ of Novel Disseisin will lie.

If a Plea be maliciously alledged to delay the Plaintiff, the Party shall suffer one Year's Imprisonment, and be fined. And if it be found that the Plaintiff was disseised, he shall recover Seisin and double Damages. *Stat. 34 E. 1.*

Tenants in Affise of Novel Disseisin may make Attornies. *12 E. 2. c. 1.*

A special Affise is maintainable, where Lands are granted by the King's Patent, before Title found by Inquest for the King. *1 H. 4. c. 8.*

By this Statute a special Affise shall issue, where any Person makes forcible Entry into Lands. *4 H. 4. c. 8.*

In Affises of Lands in Franchises, it shall be enquired whether the Disseisors or Tenants are truly such, and that the Names of Mayors, Bailiffs, &c. are not inserted by Fraud or Collusion; and if it shall be found to be by Fraud, the Writ shall abate, and the Plaintiff be amerced. *9 H. 4. c. 5.*

If the Defendant make Default by Collusion, with Intent that Mayors, &c. should lose their Jurisdiction, it shall be enquired into, And Mayors, &c. to have their Challenges. *8 H. 6. c. 26. supra.*

Indented Copies of Affises to be delivered by Sheriffs to the Plaintiffs six Days before the Sessions, and Bailiffs to make their Returns under the Penalty of *40 l.* *6 H. 6. c. 2.*

If the Sheriff be named a Disseisor by Collusion, so that the Writ is directed to the Coroner the Writ shall abate, and the Plaintiff be amerced. *11 H. 6. c. 2.*

The Plaintiff may abridge his Complaint of any Part whereunto a Bar is pleaded. *21 H. 8. c. 3.*

The

16 & 17
Car. 2. c. 6.

The Days of Assise of *darrein Presentment*, &c. limited by the Statute of *Martbridge*, and the Days given in Attaint limited by 5 E. 3. to be good, notwithstanding this Act of settling the Terms and Return-Days.

See Justices of Assise.

Assurance.

43 Eliz. c. 12.

A Commission formerly issued from the Lord Chancellor, for determining Causes relating to Policies of Assurance in *London*, &c.

6 Geo. 1.
c. 18.

Two Charters to be granted for Assurance of Ships and Merchandize, &c. The Corporations may purchase Lands, and raise Money not exceeding 1,500,000 *l.* by Subscriptions, &c. And all other Corporations for assuring Ships and their Policies declared void. Policies to be made out and stamp'd in three Days after Ships insured, on pain of 100 *l.* And Promissory Notes for Assurance shall be void, and nothing recovered thereon.

11 Geo. 1.
c. 30.

See Merchants.

Attaint.

Attaint.

AN Attaint is granted in Plea of Land, Freehold, or any thing touching Freehold. *Westm. 1. c. 38. 3 E. 1.*

Writs of Attaint to be likewise granted in Pleas of Trespass, if the Damages exceed 40 s. *34 E. 3. c. 7.* And shall be in Plea real and personal.

Reversioners to have an Attaint upon a false Verdict, &c. against a particular Tenant, who shall be restored to his Possession, and the Reversioner to the Arrearages. *9 R. 2. c. 3.*

The Plaintiff in Attaint to recover against all the Jurors, Tenants and Defendants, Costs for Delay, &c. *11 H. 6. c. 4.*

If any of the Defendants plead a groundless foreign Plea, the Justices shall give Judgment against them, but it shall not prejudice the rest. *15 H. 6. c. 5.*

Attaint may be sued by Bill in the Hustings of London, upon any false Verdict given in any of the Courts of that City. If the Petty Jury be attainted, Judgment shall be given against the Defendant as at Common Law, and against the Jury to forfeit each of them 20 l. If a Debt be recovered in the first Action, and that Verdict found false, the Plaintiff to have Restitution: But if the Verdict be affirmed, the Plaintiff shall be imprison'd and fin'd. *11 H. 7. c. 21.*

This Statute enacts, that upon untrue Verdicts before Judges of Record, the Thing in Demand extending to 40 l. Value, Attaints shall be granted against the Petty Jury; the Processes to be Summons, Resummons, and Distress infinite. The Distress to be awarded fifteen Days before *23 H. 8. c. 3.*

Attainder of Criminals.

before the Return; but the Defendants may plead they gave a true Verdict, &c. to bar the Attaint.

The Grand Jury to try the Verdict of the Petty Jury on the Attaint. Not appearing forfeit on the first Distress 20 s. the second 40 s. and the third Default 5 l. An Attaint shall lie for him in Reversion or Remainder, and also for a personal Thing under the Value of 40 l. And all Attaints to be taken in B. R. or the Common Pleas.

Attainder of Criminals.

12 Car. 2.
c. 30.

IN respect to the Attaints of a Criminal Nature, this Act was made for the Attainder of several Persons guilty of the Murder of King *Charles the First*.

7 W. 3. c. 3.

No Person to be tried or attainted of High Treason, whereby Corruption of Blood may be made, or of Misprision of Treason, but by the Oaths of two lawful Witnesses both to the same Overt Act, or one to one, and the other to another Act of the same Treason; unless the Party confess, stand mute, &c. But a Person may be outlaw'd, and thereby attainted, if he does not come in and be tried.

8 W. 3. c. 4.

This Act was made for the Attainder and Conviction of Sir *John Fenwick*, who was indicted of Treason on the Oaths of two Persons, but one only could be produced on his Trial, the other having withdrawn himself. The Trial was delayed at the Prayer of Sir *John*, and there was a
strong

Attornies, and Attornies at Law.

45

strong Suspicion of Bribery for the second Evidence to withdraw himself.

This Act requires Sir *George Barclay*, Major 8 *W. 3. c. 5.* General *Holmes* and others to surrender themselves to the Lord Chief Justice, or Secretaries of State, or to be attainted.

By this Act the pretended Prince of *Wales* is 13 *W. 3. c. 3.* attainted of High Treason, and to suffer as a Traytor, &c.

If a Principal be Convict of Felony, stand 1 *Ann. c. 9.* mute, &c. the Accessory may be proceeded against, as if he was attainted. And if the Accessory stands mute, or challenges, &c. he shall suffer as if the Principal had been attainted.

Acts for Attainder of the Duke of *Ormond*, 1 *Geo. 1. c.* Earl *Marischal*, Lord *Bolingbroke*, *Tho. Foster*, 16, 17, 32. &c. of High Treason.

Attornies, and Attornies at Law.

EVERY Person that owes Suit to the County-*Merton*, c. 10. Court, Court-Baron, &c. may make an 20 *H. 3.* Attorney to do his Suit.

Attornies may be made in such Pleas whereon 6 *E. 1. c. 8.* Appeal lieth not.

Any Person may make a general Attorney to *Westm. 2. c.* sue in all Pleas, during the Circuit of Justices in 10. 13 *E. 1.* Eyre.

Persons departing the Kingdom with the 7 *R. 2. c. 14.* King's Licence, may have a Patent from the Chancellor to make general Attornies to answer for them in Writs of *Pramunire*, &c.

Impotent

- 7 H. 4. c. 13. Impotent Persons that are outlawed may make their Attorney.
- 27 E. 1. c. 6. And Persons not able to travel shall have a Writ out of Chancery to sufficient Persons to receive their Attornies.
- 4 H. 4. c. 18. As for Attornies at Law, they are all to be examined by the Justices before inserted in the Roll. They shall swear to execute their Offices truly. And Justices to put out insufficient Attornies, and remove those that are faulty.
- 32 H. 8. c. 30. Attornies are to enter their Warrants of Attorney in every Suit upon Record in Court, on Pain of 10*l*.
- 18 El. c. 14. By this Statute Attornies are likewise to deliver in Warrants of Attorney to be entred and filed of Record, under the Penaky of 10*l*. and Imprisonment.
- 3 Jac. 1. c. 7. Attornies, Solicitors, &c. not to be allowed Fees to Counsel, without Tickets signed by such Counsel; and to give in true Bills to their Clients. Delaying the Client's Suit, or demanding more than Fees, and Disbursements, to pay Costs and treble Damages, and be disabled. None to be admitted Attornies in any Court, but Persons brought up in that Court, or well skill'd; nor to be Solicitors. And no Attorney to permit another to follow a Suit in his Name, under the Penalty of 20*l*.
- 13 W. 3. c. 6. By this Act Counsellors, Attornies, Solicitors, Proctors, &c. to take the Oaths of Supremacy and Abjuration in the Courts at *Westminster*, or the Quarter-Sessions, or be disabled to execute their Employments, to prosecute any Suit in Law or Equity, to be a Guardian, Executor or Administrator, incapable of a Legacy, and to forfeit 500*l*.

Attornies or Solicitors, convicted of Forgery, ^{12 Geo. 1.}
Perjury, or common Barrettry, acting in any Court ^{c. 29.}
of Record, to be transported as Felons.

Attornies, &c. to be sworn and admitted by ^{2 Geo. 2.}
Judges, before allowed to Practice; and taking ^{c. 23.}
out Writs, or acting in Courts, without being
admitted and inrolled, shall forfeit 50*l*. Writs
served shall be indorsed with the Names of the
Attornies employ'd; and sworn Attornies permit-
ting others to sue forth Writs in their Names,
to be disabled. For the future, all Attornies to
serve a Clerkship of five Years, and be examin'd,
sworn and admitted in open Court; and no At-
torney shall have more than two Clerks, &c.

Attornies and Solicitors not to bring any Ac- ^{Stat. *ibid*.}
tion for Fees, till a Month after Delivery of Bills;
and Parties may get them taxed in the mean
time, and if reduced a sixth Part, Attorney to
pay Costs of Taxation.

See more of Attornies, Title Amendments
and Appearance.

Attornment. Vide Amendments.

Abowry.

UPON a Replevin sued, an Avowry may be ^{21 H. 8.}
made by the Lord, or Conuſance by his ^{c. 19.}
Bailiff, &c. upon the Land without naming the
Tenant, for Rents, &c. And if found for the
Defendant, he shall recover such Damages and
Costs

Costs, as the Plaintiff should have had if he had recovered.

17 Car. 2.
c. 7.

A Writ shall issue to enquire of the Sum in Arrear, where a Plaintiff is nonsuited before Issue in Replevin, the Defendant making Suggestion in the Nature of an Avowry for Rent. And if Judgment be upon Demurrer for the Avowant, the Court shall direct a Writ to enquire.

19 Car. 2.
c. 5.

This Act makes the preceding Statute extend to the Counties Palatine of *Lancaster, Chester, Durham, and Wales.*

Bail.

Westm. 1. c.
15. 3 E. 1.

THIS Act ascertains what Offenders are bailable, and what not. Murderers, Persons outlaw'd, Prison-breakers, Thieves openly defam'd, Counterfeits of the King's Seal or Coin, excommunicate Persons, manifest Offenders and Traitors, are not to be admitted to Bail; but Persons guilty of Larceny, Accessories to Felony, or guilty of Suspicion only, may be bailed. Officers setting Prisoners at Liberty not bailable, to suffer three Months Imprisonment; and withholding Persons as are, to be fined.

27 E. 1. c. 3.

If Bail be taken by Sheriffs, &c. for Persons not bailable, it shall be enquired of by Justices of

5 E. 3. c. 8.

Gaol-Delivery: And may be judged an Escape, or punish'd according to the Statute *Westm. 1.*

3 H. 7. c. 3.

Two Justices (*Quorum unus*) have Power to let to Bail till the next Sessions. If a Person indicted of Murder be acquitted, he is not to be

discharged, but bailed, for the Year, to bring an Appeal.

None arrested for Manslaughter or Felony (being bailable by Law) to be let to Bail by Justices *1 & 2 P. & M. c. 13.* but in open Sessions, or by two Justices present, which is to be certified with the Examination, on Pain of 10 *l.*

Persons accus'd of Manslaughter or Felony, for *2 & 3 P. & Ac. M. c. 10.* want of Bail, to be examin'd, sent to Gaol, Accusers bound over, &c.

No Person arrested by Process out of the King's Bench, or Common Pleas, where the Cause of Action is not express'd, and for which the Defendant is bailable, shall be obliged to enter into any Bond with Sureties for Appearance in any Sum above 40 *l.* And upon Appearance by Attorney in Term entred in Court where the Process is returnable, the Bail shall be discharged. But this Act not to extend to *Capias utlagatum*, Attachments upon Rescous, &c. *13 Car. 2. c. 2.*

Persons committed for Treason or Felony, upon Prayer in open Court the first Week of the Term, or Day of the Sessions, to be brought to Trial; if not indicted the next Term or Sessions, upon Motion to be let out on Bail, unless the King's Witnesses are not ready; and if not tried the second Term, &c. to be discharged. *31 Car. 2. c. 2.*

The Judges of the King's Bench, or any two of them, whereof the Chief Justice to be one, the Justices of the Common Pleas, and Barons of the Exchequer, may by Commission empower Persons other than common Attornies, to take Recognizances of Bail in Causes depending in their several Courts. Any Judge of Assise may take such Recognizances, and Cognizors not compellable to appear in Person in Court (unless they live

live in *London*, or within ten Miles) to justify themselves, but to be determined by Affidavits of Commissioners.

6 & 7 W. 3. c. 20. No Process of Outlawry at the Suit of any private Person to be staid or avoided, unless the Defendant put in Bail, &c. or satisfy the Debt, if after Judgment. Act of Pardon.

11 & 12 W. 3. c. 9. No Person to be held to special Bail in small Actions in *Wales*, and the Counties Palatine, unless the Cause of Action is 20 *l.* or upwards.

1 Ann. c. 6. Where Persons escape out of Prison, and are retaken and bail'd, the Bail shall be discharged, on a Writ to the Sheriff, commanding him to keep the Prisoner in Discharge of the Bail.

4 & 5 Ann. c. 16. The Sheriff may assign Bail-bonds to the Plaintiff, which he may sue in his own Name.

In *B. R.* if the Defendant be indebted to the Plaintiff by Bill, Bond, or otherwise, to the Value of 10 *l.* he must put in good Bail.

12 Geo. 1. c. 29. No Person shall be held to special Bail, when the Cause of Action amounts not to 10 *l.* in superior Courts, or being under 40 *s.* in any inferior Court; and Affidavit to be made of the Cause of Action, where it is 10 *l.* &c. or upwards, and the Sum indors'd on the Writ, for which only Bail shall be taken, and no more.

Bailiffs of Liberties.

Bailiffs to put no Man to his Law, without 9. H. 3. c. 28.
Witnesses produced, &c.

In *Franchises*, Bailiffs to make Delivery of 52 H. 3. c. 21,
Distresses on Complaint; they are to be sworn to
take Distresses, and be punish'd for malicious 13 E. 1. c. 112
Distress, by Fine and treble Damages. Taking a
Man without Inquest of Trespas, &c. is false Im-
prisonment.

Bailiffs of Liberties are to make Returns be- 12 E. 2. c. 54
tween them and Sheriffs.

To take an Oath for due Execution of their 27 Eliz. c. 13
Offices, truly impanel Jurors, &c.

Bakers. See **Weights.**

Bank of England.

THIS is an Act upon Tonnage, and Beer and 5 & 6 W. &
Ale, &c. for raising 1,500,000 l. for esta- M. c. 20.
blishing the Bank of England, &c. 100,000 l.
per Annum arising by the Duties to be appropri-
ated to Persons as shall make voluntary Subscrip-
tions, and their Heirs. No Person or Body Poli-
tick to subscribe above 10,000 l. The Corpora-
tion not to give Security for more than 1,200,000 l.
Not to trade with the Stock, under the Penalty of
forfeiting treble Value. Judgments obtain'd a-
gainst the Corporation, &c. to be satisfied by a
Deduction out of the 100,000 l. to be yearly
paid

Bank of England.

paid by the Exchequer. A Member of the House of Commons, may not be a Member of this Corporation.

8 & 9 W. 3.
c. 20.

This Act was for making good the Deficiencies of several Funds, and enlarging the Capital Stock of the Bank of *England*. It allows Foreigners as well as Natives to subscribe, to compleat the 1,200,000 *l*. Four fifths of Subscriptions to be answered by Tallies or Orders upon the Land-Tax, &c. and Interest of 8 *per Cent*. allowed on the Tallies. The Capital Stock to be exempted from Taxes, to be accounted a personal Estate, and not to be sold without registering the Contract in seven Days. No Act of the Bank shall forfeit the Stock; and no Member be adjudg'd a Bankrupt by reason of his Stock. The Debts of the Bank not to exceed the Capital Stock, if it does the Overplus of Shares to satisfy them. 2 *s*. 6 *d*. is allowed for Brokage of 100 *l*. Stock; taking more to forfeit 20 *l*. To counterfeit the common Seal, Felony.

9 W. 3. c. 3.

The Governor and Company of the Bank not obliged to make Dividends of the Money received by Virtue of Tallies and Orders subscribed into the Capital Stock since the Enlarging of it, but once in six Months.

5 Ann. c. 13.

The Duties upon Houses are made chargeable with the yearly Fund of 4 *l*. 10 *s*. *per Cent. per Annum*, to be paid to the Bank for circulating Exchequer Bills.

6 Ann. c. 32.

Sums of Money call'd in by the Bank for circulating Exchequer Bills, not exceeding 1,001,171 *l*. 10 *s*. to be taken as Capital Stock, for capacitating Persons to be elected Governors, Directors, &c.

During

Bank of England.

53

During the Continuance of the Bank, no Body *6 Ann. c. 22,* Politick, &c. other than the said Company, or Partners exceeding six, to borrow Sums on Bill or Note, payable at Demand, or in any Time less than six Months.

This Act reciting the former Statutes, directs, *7 Ann. c. 7.* That 2,201,175 *l.* 10 *s.* be added to the Stock of the Bank, and new Subscribers to be incorporated with the present Members. The Stock assignable as the original Capital Stock. And the Company may discount *6 per Cent.* On giving twelve Months Notice, and repaying Money advanc'd by the Parliament, the original Fund of 100,000 *l.* *per Annum* to cease. After Payment and Redemption the Corporation to cease. Bills for two Millions and a half to issue out of the Treasury to bear Interest after the Rate of *2 d. per diem* for 100 *l.* And the Bank to have Allowance of *3 l. per Cent.* for the whole Sum for circulating. Money omitted to be paid in, by any of the Members, to allow Interest after the Rate of *6 per Cent.* Bank not to pay Interest to a less Sum than *1 d.* By this Act a Member of the Bank is not disabled to be a Member of Parliament. Deficiencies of Duties to be made good by next Aids granted by Parliament.

This Act obliges the Bank to exchange *Ex-9 Ann. c. 7.* chequer Bills for ready Money beyond the Sum of 1,900,000 *l.* upon settling a Fund for Payment of 45,000 *l.* *per Ann.* for Interest, &c. and for discharging and cancelling the Bills, &c.

Act for enlarging the Fund of the Company of *1 Geo. 1.* the Bank, to raise 120,000 *l.* *per Ann.* for the *c. 12.* Civil List, and 910,000 *l.* for the Publick Service; and additional Duties on Wine, Excise, Stamp-Duties, &c. made an Aggregate Fund.

E 3

This

3 Geo. 1. c. 8. This Act was made for redeeming several Funds of the Governor and Company of the Bank of *England*, and securing new Funds, and obliging the Bank to advance a further Sum not exceeding 2,500,000 *l.* at 5 *l.* per Cent. Redeemable likewise by Parliament on giving a Year's Notice, &c.

11 Geo. 1. f. 2. The Company of the Bank, to continue a Corporation, and enjoy Annuities 'till redeem'd, &c. Forging or altering Bank-Notes, or any Indorsement thereon, or tendering in Payment, demanding to have them exchange'd for Money, &c. is Felony.

Bankrupts.

34 H. 8. c. 4. THE Lord Chancellor, Treasurer, &c. to take Order with a Bankrupt's Body, Lands and Goods, for Payment of his Debts.

13 Eliz. c. 7. Persons exercising any Trade, departing the Realm, concealing themselves, or suffering themselves to be falsely arrested to defraud Creditors, deemed Bankrupts. The Lord Chancellor, upon a Complaint in Writing against a Bankrupt, to appoint Commissioners to sell the Bankrupt's Lands, as well Copy as Free, Annuities, Goods, Chattels, Debts, &c. Commissioners have Power to convene Persons suspected to have any of the Bankrupt's Effects. Persons refusing to disclose, or detaining Lands, &c. to forfeit double the Value. If the Person indebted absent himself after five Proclamations by Commissioners, to be out of the King's Protection, and Persons concealing him to be

be imprison'd and fin'd. The Creditor not satisfied, may afterwards take his Course at Law.

By this Statute a Creditor shall be received if ^{1 Jac. 1.} he comes in, in four Months. Grants of Lands, ^{c. 15.} &c. of a Bankrupt in other Mens Names, except to Children upon Marriage, or for valuable Consideration, void. If upon Warning left at the usual Place of Residence, three times, the Bankrupt do not appear, five Proclamations to be made, &c. Refusing to be examin'd, shall be committed. Committing Perjury to 10*l.* Prejudice of Creditors, to stand in the Pillory. Persons suspected to detain any of the Estate, not appearing, to be arrested; and still refusing, to be committed. Commissioners may assign Debts, &c. to the Creditors; and proceed to Execution, though the Bankrupt dies. Commissioners to render the Bankrupt an Account, and pay Overplus, &c.

Trading Persons and Scriveners getting Protec- ^{21 Jac. 1.} tion, except of Members of Parliament, Persons ^{c. 19.} endeavouring to compel Creditors to take less than their Due, or to gain Time beyond six Months, the Debt being 100*l.* and the Debtor arrested, or after Arrest lying in Prison six Months, and escaping, &c. adjudg'd Bankrupts. Bankrupt's Wife to be examin'd on Oath. Bankrupt fraudulently concealing to stand on the Pillory. Commissioners may break open Bankrupt's House, Chests, &c. Another Man's Goods in the Bankrupt's Possession to be distributed. No Respect to be had to Debts upon Judgment, Recognisances, or Specialties, beyond other Debts.

Adventurers in the *East-India* or *Guinea* ^{12 & 14 Car.} Company; and no Member of any Society or ^{2. c. 24 9 &} Company to be adjudged a Bankrupt, in Respect ^{10 W. 3. c. 44.}

of his Stock ; and the Stock not liable to foreign Attachment.

4 & 5 Ann.
c. 17.

Bankrupts not submitting to be examined thirty Days after Notice, and not discovering how they have disposed of their Goods, and all Books, Papers, &c. and delivering up to the Commissioners all such Estate, &c. except their Wives and Childrens necessary wearing Apparel, to suffer as Felons. Lord Chancellor may enlarge the Time for surrendering to sixty Days. Commissioners to send for Persons, &c. not appearing or refusing to be sworn, to be committed. On Certificate of the Commissioners the Bankrupt to be apprehended. Persons conforming, to be allowed 5 *l.* per Cent. not exceeding 200 *l.* if Estates pay 8 *s.* in the Pound. Persons concealing Estates in Trust to forfeit 100 *l.* Persons discovering Bankrupts Estate to be allowed 3 *l.* per Cent. No Advantage to Bankrupt giving above 100 *l.* in Marriage with Children, unless at the Time they could satisfy their Debts.

5 Ann. c. 22.

Bankrupts removing, concealing, or imbeziling any Monies or Effects to the Value of 20 *l.* guilty of Felony. Commissioners to assign to such as shall be chosen by the major Part of the Creditors. Assignees before appointed refusing to assign over to them, to forfeit 100 *l.* Assignees, or the major Part of them, to compound with Debtors. No Commission of Bankrupt to be issued out, unless the Debt of one Creditor petitioning amount to 100 *l.* or the Debt of two Creditors amount to 150 *l.* or of three amount to 200 *l.* And Bond to be given in 200 *l.* Penalty to prove the Party a Bankrupt. Receivers General of Taxes, &c. to have no Benefit of these Acts.

The

Bankrupts.

57

The Descriptions of a Bankrupt in the Act 21 10 Ann. c. 15.
Jac. 1. being prejudicial to Trade, this Statute makes all Descriptions of Bankrupts void. But no Sale of Estates to be impeach'd.

Bankrupts within thirty Days after Notice, 5 Geo. 1. c. shall surrender themselves to Commissioners, and 24 conform to the Statutes: The Commissioners to call before them Persons, who can give Account of Acts of Bankruptcy, &c. Trustees for the Bankrupt and others, are to discover Trusts, &c. or forfeit 100 *l.* Three several Meetings shall be appointed by the Commissioners; who are to certify to the Lord Chancellor, that the Bankrupt hath conform'd, and 4 Parts in 5 in Number and Value of Creditors to sign the Certificate. Commissions, &c. to be inrolled, at an Office erected for that Purpose; and the Commissioners to have 20 *s. per Diem*, &c.

A Bankrupt in Prison, on Execution for Debt, 6 Geo. 1. c. 2 to be discharged producing his Certificate. And 21. Persons having Bills or Notes upon Bankrupts, 7 Geo. 1. c. due at a Day to come, are entitled to Dividends, 31. allowing Discount, at 5 *l. per Cent.*

Persons declared Bankrupts before 14 May 3 Geo. 2. c. 1729. to have Relief and be discharged from 29. Debts, and the Lord Chancellor allow their Certificates, &c. as if the Act 5 Geo. 1. was in Force; but that Statute expired, not to be revived, save only to such Bankrupts.

Bankrupts not surrendering in Forty-two Days, 5 Geo. 2. c. 6 and not discovering Estates, adjudg'd guilty of 30. Felony; but the Lord Chancellor may enlarge this Time Fifty Days further. They are to deliver all Books of Accounts, Writings, &c. to Assignees on Oath; and be allowed 5 *l. per Cent.* not above 200 *l.* if pay 10 *s.* in the Pound, and

Bankrupts.

7 *l.* 10 *s.* *per Cent.* not above 250 *l.* if, pay 12 *s.* 6 *d.* in Pound, &c. And the Body of the Bankrupt only, not his future Estate, to be discharged, except he pays 15 *s.* *per Pound.* Four Parts in Five in Number and Value of Creditors, are to sign Certificates, &c. Bonds or Notes given to Consent to any Certificate, to be void; and if the Creditor issuing any Commission, have privately more than others, the Commission shall be superseded. Bankrupts to be apprehended, on a Commission issued, &c. Persons that discover their Estates, allowed 5 *l.* *per Cent.* And concealing Trusts, shall forfeit 100 *l.* and double Value. Notice must be given to Creditors to meet and choose Assignees, prove Debts, &c. but none to vote whose Debt is under 10 *l.* New Assignees may be chosen by the Creditors; and Assignees after End of four Months, and within twelve Months, to account, and Dividend to be made; and there may be a second final Dividend in eighteen Months, &c. Commissioners to take an Oath, allowed 20 *s.* a Day, and nothing for Expences; and Attornies Bills to be adjusted by a Master in Chancery, &c.

Bankers, Brokers and Factors are subject to Statutes of Bankrupts; but no Farmer, Grazier, or Receiver General of Taxes, shall be deemed a Bankrupt.

Bargains

Bargains and Sales.

BY this Statute no Estate of Inheritance in ^{27 H. 8. c. 16.} Lands, &c. created by Bargain and Sale is good without Inrollment in one of the Courts at *Westminster*, or in the County before the *Custos Rotulorum*, &c. in six Months. But Terms of Years will pass by Bargain and Sale, without Inrollment.

Deeds inroll'd, Recoveries, &c. taken before ^{34 & 35} Officers in Corporations to remain in Force, ^{H. 8. c. 22.}

Bargains and Sales in the County of *Launcester* ^{5 Eliz. c. 26.} inroll'd within six Months in the Chancery there, or before the Judges of Assise, and in *Durham* and *Chester*, to be effectual, as if inrolled at *Westminster*.

The Day of the Month and Year of the In- ^{29 Car. 2.} rollment of Recognizances to be set down in the ^{c. 3.} Margin of the Roll; and no Recognizance to bind Lands, but from the Time of Inrollment.

Bargains and Sales inrolled by the Register in ^{6 Ann. c. 35.} the East Riding of the County of *York*, and Copies to be allowed as good Evidence. And in all Deeds of Bargain and Sale of Inheritance, the Words *Grant, bargain and sell*, shall be adjudged an exprefs Covenant.

See Grants.

Baron

Baron and Feme.

9 H. 3. c. 34. **T**HE Wife only to have Appeal for the Death of her Husband.

6 E. 1. c. 3. The Deed of Baron and Feme, shall not Bar her Heir, unless there be a fine levied.

13 E. 1. c. 3. A Wife for her Land to have Writ *Cui in vita*, on Judgment by Default, &c. after the Husband's Death.

32 H. 8. c. 28. This Statute enacts, That Leases made by Tenant in Tail, &c. shall be good against the Lessors, their Wives and Heirs. Leases of the Wife's Land to be made by Husband and Wife; and the Husband not to alien during the Coverture, but by Fine, wherein his Wife joins. See Leases.

32 H. 8. c. 2. A Husband's Lease of the Wife's Inheritance is good against him and his Heirs; but it binds not her unless she be Party, &c.

11 H. 7. c. 20. If a Woman having an Estate in Dower, or in Tail, or to herself only, of Lands of the Inheritance or Purchase of her Husband, &c. make Discontinuance, or suffer a Recovery by Covin, it shall be void, and the Heir may immediately enter.

3 Jac. c. 4. Married Women convict of Recusancy forfeit two Parts of their Jointure or Dower, and disabled to be Executors to their Husbands.

Bastardy.

Bastardy.

A Child born before Marriage is a Bastard. *Maria. 2. 5*
 If the Child be born beyond Sea, the ²⁰ H. 3.
 Birth to be try'd by Certificate of the Ordinary: ²⁵ E. 3.
 And a Writ shall issue to the Ordinary, to certify ⁹ H. 6. c. 11.
 Bastardy.

Two next Justices (*Quorum unus*) to take ¹⁸ Eliz. c. 3.
 Order for Punishment of the Mother and Father
 of Bastards, and for Relief of the Parish by a
 weekly Payment: The Father and Mother not
 obeying the Order, to be imprisoned without
 Bail. But a Bastard of a Person able to keep it,
 is not within this Statute.

Justices of Peace may send to the House of ⁷ Jac. 1. c. 4.
 Correction for one Year, lewd Women having
 Bastards that may be chargeable.

It is Murder for a Woman to conceal the ²¹ Jac. 1. c. 2.
 Death of her Bastard-Child. ^{27.}

Justices in Corporations, &c. to put Acts in ³ Car. 1. c. 4.
 Execution as Justices in the Counties.

Where a Bastard is born, the Churchwardens ¹³ & ¹⁴
 may seise Goods or Profits of Lands of the puta- ^{Car. 2. c. 12.}
 tive Father and lewd Mother, to discharge the
 Parish by Order of two Justices.

A Woman delivered of a Bastard, or declaring ⁶ Geo. 2. c. 1.
 herself to be with Child, on Oath before a Jus- ^{31.}
 tice charging any Person with getting it, he may
 issue his Warrant to apprehend the Party, to
 give Security to appear at next Sessions, and per-
 form Orders made; and not doing it, he may
 commit him to the House of Correction, &c.

Beer, &c. Bigamy.

But if such Woman die, or be married, or miscarry, &c. or no Order is made, in six Weeks after her Delivery, the Man to be discharged.

Beer, &c.

45 *Stat. c. 11.* **F**OR every six Ton of Beer exported, the same Cask, or Timber fit to make Cask, to be imported. The same Law for Strangers transporting Fish in Cask. None to transport Wine-Cask with Beer, &c. except for victualing, under the Penalty of 40 s. a Ton.

22 & 23 *Car. 2. c. 13.* It is lawful to export Beer, Ale or Mum, paying 1 s. per Ton Duty. But not shipping off in the Presence of a sworn Gauger, to forfeit 100 l.

1 *W. & M. Sess. 1. c. 22.* This Act continues the Duties on exporting Beer, and inflicts a Penalty of 50 l. for every Barrel, and Forfeiture of Liquors, for shipping off and landing contrary to 22 & 23 *Car. 2.*

Bigamy.

18 *E. 3. c. 2.* **B**igamy not to be tried by Inquest, but by Certificate from the Ordinary.

1 *E. 6. c. 12.* *Bigamus* being a Felon, to have Clergy; but this was ousted by Statute *De Bigamis*, 4 *E. 1.*

1 *Jac. 1. c. 11.* A *Bigamus* to suffer Death as a Felon, unless no Notice that the Wife was living in seven Years.

Billets.

Billets.

Billet Wood to be assis'd by Mayors of Corporations, &c. 43 Eliz. c. 4.

Billets must be three Foot and four Inches long, 9 Ann. c. 15. and seven Inches and a Half in Compass; and other Assizes of Wood are directed, with Marks, &c. And not being mark'd Justices of Peace, Mayors, &c. to enquire by the Oaths of six Men; and if the Billet be under Assize, it shall be forfeited to the Poor.

Bills and Notes, &c.

Inland Bills of Exchange after Acceptance, and 9 & 10 W. 3. Refusal of Payment in three Days, to be protested, and Notice given to the Drawer, &c. in fourteen Days.

Promissory Notes for Payment of Money to a Person or Bearer to be good in Law, and assignable over as Inland Bills of Exchange; and the Person to whom assign'd or indors'd, &c. may maintain an Action against the Assignors and Endorsors. If a Person on whom an Inland Bill of Exchange is drawn, refuse to accept it, it is to be protested; and no Drawer to pay Costs or Interest without such Protest; but no Acceptance to charge any Person, unless the Bill be indors'd or underwritten. If a Bill be accepted and not paid in three Days after due, it is likewise to be protested. But no Protest shall be necessary, unless

5

less the Bill be drawn for Value received, and for 20 *l.* at least. Nothing in this Act to discharge any other Remedy.

7 *Ann. c. 25.*

The Statute *supra* is by this Act made perpetual.

Bishops, Benefices, &c.

1 *E. 3. c. 2.*

THE King not to seise into his Hands the Temporalities of Bishops.

14 & 25 *E. 3.*

Temporalities of Bishops shall not be seised into the King's Hands, but on just Cause; and not for a Contempt, which is only finable. Escheators to preserve from Waste, Archbishopricks and Bishopricks during their Vacation.

25 *H. 8. c. 12.*

The Convocation to be assembled by the King's Writ, and Ordinances to have the King's Assent. No Canons to be executed repugnant to the Prerogative; and no Appeals to *Rome*; but Appeals from the Archbishop's Court, to be to the King and Chancery, and determined by Commissioners.

25 *H. 8. c. 20.*

No Man to be presented to the See of *Rome* for the Dignity of a Bishop, &c. but Election to be by the King's *Conge d' eslire*, or Licence to elect the Person named by the King. If the Dean and Chapter fail to make Election, the King to nominate, &c. by Letters Patent. And the Dean and Chapter not doing it in twenty Days incur a *Pramunire*. An Archbishop to be invested and consecrated by an Archbishop and two other Bishops, or by four Bishops; and a Bishop by the Archbishop of the Province, or any other in a Vacation.

The

The Archbishop of *Canterbury* may grant Dis-^{25 H. 8. c. 21.}pen-
sations to the King, and Licenses to all
others. Religious Houses exempt from Visita-
tion of the Archbishop, under Visitation of the
King by Commission. Abbies, &c. not to pay
any Pensions to the See of *Rome*, nor accept
any Dispensations, &c. from thence. The King
with the Advice of his Council, may reform In-
dulgencies.

Bishops to be charg'd with the Collection of ^{26 H. 8. c. 3.}
all Tenths, and make Payment to the Treasurer
of the King's Chamber. If the Tenths be not
paid in forty Days after Demand, the Incumbent
(after Certificate by the Bishop) to be deprived;
and the Bishop shall be acquitted of what is un-
paid.

The Bishop to present two Persons to be his ^{26 H. 8. c. 14.}
Suffragans, in Places or Sees appointed, where-
of the King shall allow one, who by Letters
Patent shall be presented to the Archbishop.

The Statute ousted the Writ of *Conge d'eslire*, ^{1 E. 6. c. 2.}
and empower'd the King to collate to an Arch-
bishoprick or Bishoprick absolutely by Letters
Patent. And all Process Ecclesiastical to be in
the King's Name; but this Statute was repealed
by ^{1 M. c. 2.}

By this Act all Bishops are confirmed. ^{1 & 2 P. &}

The Book of Common Prayer and Sacraments ^{M. c. 8.}
by this Statute are confirmed, and also the Con-
secration of Bishops, &c. ^{8 Eliz. c. 1.}

Estates made by Bishops of the Church ^{1 & 13 Eliz.}
Lands, and Leases, &c. of College Lands, to be
made for twenty-one Years, or three Lives, and
the accustomed yearly Rent reserved. Leases
may be made on the Surrender of former Terms,
&c.

- 39 *Eliz. 1. 8.* Deprivations of Bishops, &c. declared lawful.
 12 *Car. 2.* This Act was made for restoring Ecclesiastical
c. 17. Persons dispossess'd by *Oliver*.
 1 *W. & M.* No Assembly for religious Worship to be al-
Self. 1. c. 18. lowed till the Place of Meeting is certified to
 the Bishop of the Diocese, or Justices of Peace
 in Quarter-Sessions.
 6 *Ann. c. 27.* Bishops are allowed four Years for Payment of
 their First-Fruits.
 12 *Ann. Self.* Persons keeping Schools or Seminaries without
 2. *c. 7.* a License from the Bishop, receiving the Sacra-
 ment of the Church of *England*, and taking the
 Oths, &c. except Tutors of Youth in reading,
 writing, &c. to be committed to the common
 Gaol for three Months.
 5 *Geo. 1. c. 3.* The aforesaid Act as to Schoolmasters receiv-
 ing the Sacrament is repealed.

See more of Bishops, &c. Appeals, Re-
 sidency, &c.

Blackwell-Hall.

- 8 & 9 *W. 3.* **T**HE publick Market of *Blackwell-Hall* to
c. 9. be held every *Thursday, Friday* and *Sa-*
turday. Factors selling Cloth out of the Market
 to forfeit 5 *l.* Hall-keepers, Clerks, &c. not
 keeping weekly Registers of Cloths bought and
 sold, to forfeit likewise 5 *l.* Factors selling Cloth
 on Trust, and not transmitting to the Owners,
 the Buyer's Note for the Money in twelve Days,
 liable to forfeit double the Value. And Factors
 not accounting on Request of Clothiers, to for-
 feit 10 *l.*

Books,

Books Booksellers and Authors.

NONE to buy Books brought from beyond 25 H. 8. c. 14. Sea to sell again, under the Penalty of 6 s. 8 d. a Book. Unreasonable Prices of Books to be qualified by the Lord Chancellor, and two Chief Justices, &c.

By this Act Popish Books were abolished. 3 & 4 E. 6. Persons bringing from beyond Sea, printing, c. 10. Selling or buying popish or superstitious Books, 3 Jac. 1. c. 5. &c. to forfeit 40 s. a Book.

This Act was made for preventing the Printing of treasonable Books, &c. unlicensed, and 2. c. 33. for regulating Printing: The Number of Printing Presses limited; and none to print seditious Pamphlets, or tending to the Scandal of the Government: Books and Pamphlets to be entered in the Register at Stationers Hall, and licensed; Books of Law, by the Allowance of Lord Chancellor, Chief Justice, &c. Divinity, by the Archbishop, &c. and History, by a Secretary of State. Printers to shew the Names of Authors, if required; no Presses to be in Vaults without Notice, &c. And Messengers by Warrant of the King, Secretary, of State, &c. to search for seditious Books. None to print beyond Sea, and import English Books, on Pain of Forfeiture.

The above Statute was revived, and continued by 4 & 5 W. & M. &c. but is now expired.

These Statutes appoint a Custom on Books imported, &c.

M.
8 & 9 W. 3.

8 *Ann. c. 19.* Authors of Books already printed, and the Copies not transfer'd, and Booksellers, &c. who have already purchased, to have the sole Right of Printing for twenty-one Years. And Authors of Books not yet printed, to have such Right for fourteen Years. Persons reprinting, or importing any Book printed within those Times, without Consent, to forfeit the Books to the Proprietor, and 1 *d.* for every Sheet in Possession. But these Penalties not inflicted, unless the Title of the Book be entered in the Register of the Stationers Company. Clerk refusing to enter it forfeits 20 *l.*

Archbishop of *Canterbury*, Lord Chancellor, Bishop of *London*, Chief Justices, and Chief Baron, &c. on Complaint, to reform unreasonable Prices of Books; and after Notice in the *Gazette*, Booksellers selling at a greater Price than ordered, to forfeit 5 *l.* Nine Copies of Books entred at *Stationers Hall*, to be delivered for publick Libraries. Importation of Books printed beyond Sea in Foreign Languages not hindred. After the End of fourteen Years, the Right of Printing, &c. to return to the Authors for the like Term.

10 *Ann. c. 19.* The Stamp-Duty on Books and Pamphlets is a Half-penny for every Half-sheet; larger than Half a Sheet, and not exceeding a Sheet, 1 *d.* Books larger than a Sheet, and not six Sheets in Octavo, twelve Sheets in Quarto, or twenty Sheets in Folio, 2 *s.* for every Sheet in the Copy, Books of Devotion, Votes of Parliament, Bills of Mortality, &c. excepted. The Penalty for not stamping is 10 *l.* and publishing before Duty paid 20 *l.* subject to Mitigation, not under a fourth Part.

Wals,

Brass, Pewter, &c.

BRass to be sold in open Fairs and Markets, 19 H. 7. c. 6. on Pain of 10 *l.* And be work'd according to the Goodness of Metal work'd in *London*, or be liable to Forfeiture; and using false Weights, to forfeit 20 *s.* Searchers of Brass and Pewter likewise to be appointed in every City, &c.

By this Statute Brass Ware defective to be forfeited. 4 H. 8. c. 7.

Tin or Pewter Wares not to be sent out of the Realm, on Pain of Forfeiture; and Officers to search and make Seisures, &c. Pewterers not to teach their Trades to Foreigners.

This Statute makes the Act 25 H. 8. perpetual; and inflicts a Penalty of 5 *l.* for resisting the Search of Brass, Tin, &c.

Conveying out of the Realm, Brass, Copper, Bell-Metal, &c. (except Tin and Lead) to forfeit double Value. 33 H. 8. c. 7.

This Act adds the Penalty of 10 *l.* for every thousand Weight, besides the double Value for transporting Brass, &c. But Metal made of *English* Oar may be exported, by the Statute 5 & 6 W. & M. c. 17.

For Brass wrought imported there is a Duty of 5 *l.* per Cent. 4 & 5 W. & M. c. 5.

Brass, Copper, &c. to be spun upon Thread, and not Silk, on Pain of 5 *s.* per Ounce. And no Thread made of Copper, Brass, &c. or Wire wrought, to be imported on Pain of Forfeiture. 9 & 10 W. 3. c. 39.

Exportation of *British* Copper and Brass Wire to pay no Duty. 7 Ann. c. 8.

Brewers.

43 H. 8. c. 4. **B**rewers putting their Drink in a Vessel not mark'd by a Cooper, to forfeit 3 s. 4 d. a Barrel; and not selling it at reasonable Rates appointed by Justice, for every Barrel 6 s. Kilderkin 3 s. 4 d. Firkin 2 s. and 10 s. for a larger Vessel.

15 Car. 2. c. 23. The Duty by this Act for every Barrel of Beer above 6 s. Value is 1 s. 3 d. and under, 3 d. By 1 W. & M. 9 d. for every Barrel of Beer, &c. above the Value of 6 s. 8 d. was added. These Duties were granted to King William and Queen Mary for their Lives; and the additional Duty of 9 d. per Barrel for Ninety-nine Years, &c. Brewers to make an Entry at the Excise-Office once a Week of Liquors brewed, under the Penalty of 10 l. Brewers to be allowed three Barrels in twenty-three for Leakage.

15 Car. 2. c. 11. Brewers altering Coolers, Fats, &c. without Notice, incur 50 l. Forfeiture, increased to 200 l. by 8 & 9 W. Obstructing Search 20 l. Keeping a private Store-house, &c. 50 l. Penalty, and opposing a Gauger 50 l. by Statute 8 & 9 W.

1 & 8 W. 3. Keeping a private Pipe under Ground, to forfeit 100 l. Refusing an Officer Entrance into the Brewhouse 20 l. not permitting him to taste the Drink on the Dray 5 l. Not telling the Gauger how much Ale intended to be brewed 20 s. per Barrel; increasing it afterwards 5 l. per Barrel. Mixing small with strong the same Penalty;

Bricks and Tiles.

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Penalty; carrying Wort out of the Brewhouse before the whole is brewed 40 s.

Obstructing Search for private Pipes, Penalty 10 s. 11 W. 3.
100 l. Bribing a Gauger 10 l.

Bricks and Tiles.

Bricks to be made between the first of ^{12 Geo. 1. c.} *March* and twenty-ninth of *September*; 35. and be nine Inches long, four and a Quarter wide, and two and a Half thick; and Pantiles shall be thirteen Inches and a Half long, nine Inches and a Half wide, and Half an Inch thick; all under the Penalty of 20 s. for every 1000. Justices of Peace to appoint Searchers of Bricks and Tiles, who shall make Presentments at the Quarter-Sessions, &c. Combinations to advance the Price of Bricks, ingrossing them, &c. incur a Penalty of 20 l.

No Soil, Mud or Dirt, shall be mixed with ^{2 Geo. 2. c.} Brick-Earth, on the Penalties of making bad ^{15.} Bricks: But Bricks may be made of Earth and ^{3 Geo. 2. c.} Sea-Coal Ashes sifted, and Cinders mixed with ^{22.} Coals used in the Burning of Bricks. Stock-Bricks, and Place-Bricks to be burnt in one Clamp, being set in distant Parcels, &c.

And within fifteen Miles of *London*, when burnt, are to be eight Inches and three Quarters long, and four Inches and one Eighth broad.

Bridges.

Mag. Chart.
9 H. 3. c. 15. **N**O Town or Freeman shall be distrained to make Bridges, but such as have been accustomed.

22 H. 8. c. 5. Four Justices in Sessions to hear and determine Annoyances of Bridges; and to charge such as shall repair them; and when it cannot be known who ought to repair, the County, &c. liable to be tax'd.

The Justices to call before them the Constable or two able Persons of every Parish, and with their Assent make a Tax; and to appoint Collectors, Surveyors, &c.

22 Car. 2.
c. 12.

Justices of Peace in *Cheshire, Lancashire, &c.* upon Presentment in the Quarter-Sessions, to cause new Bridges in Highways to be erected, &c.

1 Ann. c. 16.

The Quarter-Sessions, upon Presentment that a Bridge is out of Repair, to assess every Town and Parish; the Money to be levied by the Constables, and paid to High Constables, who are to remit it to Treasurers, &c. appointed by the Justices. Persons refusing to collect or pay the Money, &c. forfeit 40 s. Treasurers paying Money without Order of Sessions to forfeit 5 l. Collectors, &c. of the Tax to be allowed 3 d. per Pound.

9 Geo. 2. c.
29.
10 & 11
Geo. 2.

A new Bridge to be built cross the River *Thames* at *Palace-Yard* in *Westminster*, and Commissioners appointed, &c. They have Power to agree for Ground, and to pull down Houses, and determine with what Materials it shall be built; and wilfully damaging the Bridge, or destroying

stroying any Works thereof, is Felony. And 100,000 £ is granted by Parliament for building this Bridge.

Briefs.

King's Printer to deliver out printed Copies 4 ⁸ 5 Ann. of Briefs. One of the Commissioners to ^{c. 14.} indorse his Name on the Copies; then they are to be sent to Wardens of Churches and Chapels, Preachers of separate Congregations, &c. the Wardens and Ministers to indorse the Time they receive them. In two Months the Ministers, &c. to read the Briefs, and Churchwardens to collect Money given, &c.

The Sums collected, Place and Time, to be indorsed in Words at length, and sign'd by the Minister and Churchwardens, &c. who are to deliver to the Undertakers of dispersing the Brief, the Brief and the Monies collected, under the Penalty of 20 £. Undertakers not demanding the Brief and Money in six Months liable to the same Penalty. The Undertaker, to enter in a Book the Number of Briefs, &c. and if the whole Number be not returned, to forfeit 50 £. Undertakers to account before a Master in Chancery. Persons agreeing to purchase the Benefit of a Brief to forfeit 500 £.

Brokers,

Brokers and Stockjobbing.

- W**rongful Sale of Goods by Brokers in London, &c. not to alter the Property. And Brokers not discovering such Goods received by them on Request of the Owner, to forfeit double Value.
- 1 Jac. 1. c. 21. Brokers, &c. taking for Brocage above 5 s. for 100 l. to forfeit 20 l.
- 12 Car. 2. c. 13. Broker selling Bullion or molten Silver, not being a Goldsmith, to be imprisoned six Months.
- 6 & 7 W. 3. c. 17. Brokers not to take above 2 s. 6 d. for the Brocage of 100 l. under the Penalty of 20 l. increased to 2 s. 9 d. for buying and selling Tallies, &c. by Statute 10 Ann. c. 19.
- 8 & 9 W. 3. c. 32. Brokers in London, &c. to be licensed by the Lord Mayor, who is to give them an Oath, and take Bond of 500 l. Penalty for faithful executing their Offices, &c. The Number of Brokers to be one hundred. And if any Person shall Act, not being thus admitted, to forfeit 500 l. and Persons employing him 50 l. Brokers to register Contracts, &c. on Pain of 50 l. and taking above 10 per Cent. shall forfeit 10 l. Brokers to carry about them a Silver Medal having the King's Arms, the Arms of the City, and their Names on the Sides, on Pain of 40 s. and not to deal for themselves under the Penalty of 200 l. and be incapacitated. Brokers of Tallies and Funds to be licensed by the Lords of the Treasury; acting otherwise to forfeit 500 l.
- 6 Ann. c. 16. Brokers, &c. employing any Person to act under them, not being admitted by the Lord Mayor, and licensed, to forfeit 25 l.

All

Brokers and Stockjobbing.

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All *Stockjobbing*, Subscriptions, &c. not authorized by Act of Parliament, or Charter, or used by obsolete Charters, are declared void, and the Undertakings Nulances; and Brokers buying and selling Shares of Stock, liable to 500 l. Penalty.

Brokers in the City of *Bristol*, to be admitted and licensed by the Mayor and Aldermen, &c. Persons acting there as Brokers before Admittance, to forfeit 100 l. and those who employ them 50 l. And the Brokers not to deal for themselves, under Penalties.

All Premiums to deliver, accept or refuse any Stock, or Share therein, to be void, and Money returned, or may be recovered by Action with double Costs; and Persons entering into any such Contract, to forfeit 500 l. The like Penalty inflicted on Brokers, negotiating these Contracts, &c. And also where Parties agree to sell, and are not actually possessed or entitled to Stock; and here Brokers transacting Agreements knowingly, shall forfeit 100 l. And Brokers to keep a Book called the *Broker's Book*, in which they shall enter all Contracts and Agreements, with the Names of Buyers and Sellers, and Day of making, &c. to be produced when required, under 50 l. Penalty. No Money to be given to compound any Difference, for not delivering Stock, &c. but whole Money agreed shall be paid, and Stock transferred, on Pain of 100 l.

Buggery.

Buggery.

25 *H. 8. c. 6.* **B**Y this Statute Buggery is made Felony without Benefit of Clergy; and Justices of Peace had Power to hear and determine the Offence, &c. This Act extends to Women as well as Men.

2 *W. & M. c. 10.* And by this Act Buggery with Man or Beast, Rapes, &c. were excepted out of the general Pardon.

Burglary.

24 *H. 8. c. 5.* **I**F any Person be indicted for the Death of one attempting to commit Burglary, &c. he shall be acquitted.

3 & 4 *W. & M. c. 9.* Taking away Goods in a Dwelling-house, any Person being therein, or breaking any Shop or Warehouse thereunto belonging in the Day-time, and taking away Goods, &c. to the Value of 5 s. no Person being therein, is Burglary, and Offenders not to have Clergy.

10 & 11 *W. 3. c. 23.* By this Statute stealing Goods in a Shop, Warehouse, Coach-house, &c. privately, to the Value of 5 s. though no breaking, in the Night or Day, and Persons assisting, excluded Clergy. Persons apprehending such Burglars exempt from serving Parish-Offices. A Burglar discovering two more to have his Pardon.

5 *Ann. c. 31.* Persons taking Burglars and prosecuting them to Conviction, to have a Reward of 40*l.* If they

they are kill'd, their Executors or Administrators shall have it, to be paid by the Sheriff; and Persons committing Burglary, discovering two others who were concerned in such Burglaries, to be entitled to the 40 *l.* Reward, and a Pardon.

Persons stealing Money, Goods or Wares, in ^{12 Ann. c. 7.} a Dwelling-house or Out-house, to the Value of 40 *s.* though the same be not broke open, and though any Person be or be not there, guilty of Burglary.

Burials.

POpish Recusants to be buried in the Church ^{3 Jac. I. c. 5.} or Church-yard, and according to the Ecclesiastical Laws, under the Penalty of 20 *l.*

No Corps to be buried in, or Coffin lin'd ^{30 Car. 2.} with any Thing but Sheeps Wool, on Pain of *c.* 3.

^{5 l.} The Penalty to be levied by Justice's Warrant. Affidavits to be made of such burying in eight Days, and Registers to be kept by the Ministers, &c. No Penalty incurr'd for Persons dying of the Plague.

Where no Justice of Peace, Parsons, Vicars, ^{32 Car. 2 c. 1.} &c. not of the same Parish, may take Affidavits of burying in Woollen.

Parsons, Vicars, Curates, &c. to give Notice ^{7 & 8 W. 3.} in ten Days of Burials of Persons from other *c.* 35. Parishes, on Pain of 5 *l.*

By the Statute of ^{6 & 7 W. 3.} a Duty was granted on Burials, Births and Marriages. For Burial of a Duke 50 *l.* and so down to 10 *s.* according to Persons Qualities and Estates, a common

Butchers.

mon Person 4*s*. For Birth of a common Person 2*s*. for a Duke's Son, &c. 30*l*. and so descending to 10*s*. For Marriage of a Common Person 2*s*. 6*d*. a Duke 50*l*. and so down to 10*s*. And Bachelors above twenty-five to pay 1*s*. yearly.

Butchers.

- Stat. 7 E. 2.* Butchers selling Swines-flesh meased, or dead of the Murrain, to stand in the Pillory, &c.
- 31 E. 3. c. 10.* The Mayor, &c. of London, may redress Defaults of Butchers, &c. as they do such as sell Ale and Beer.
- 2 & 3 E. 6. c. 15.* Butchers, &c. conspiring to sell their Meat at certain Prices, to forfeit 10*l*. for the first Offence, 20*l*. for the second, and 40*l*. for the third, or stand on the Pillory.
- 4 H. 7. c. 3.* Butchers not to kill Meat in their scalding Houses, or within the Walls of London, &c. under the Penalty of 1*s*. an Ox, and 8*d*. for another Beast.
- 3 & 4 E. 6. c. 19.* Butchers not to buy Cattle to sell again, on Pain of Forfeiture.
- 1 Jac. 1. c. 22.* And not to use the Trade of a Tanner under the Penalty of 6*s*. 8*d*. a Day.
- 15 Car. 2. c. 8.* This Statute inflicts a Forfeiture of double the Value on Butchers selling Cattle, &c. alive.
- 5 Ann. c. 2.* Butchers selling in London, or within ten Miles, fat Cattle or Sheep alive or dead, to forfeit the Value.

Butter and Cheese.

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The Act 3 Ann. not to extend to selling 7 Ann. c. 6.
Calves, Lambs, or Sheep dead, from one Butcher
to another.

Butter and Cheese.

Butter and Cheese may be conveyed to any 18 H. 6. c. 37
Place out of the Realm, in the King's Amity,
without License.

Persons selling Butter or Cheese (except Inn- 3 & 4 E. 6.
holders, &c. in their Houses) otherwise than
by Retail in open Shop, &c. to forfeit double
Value.

Justices of Peace in Sessions may restrain re- 21 Jac. 1. c. 22.
tailing of Butter and Cheese.

By this Statute the Kildeskin of Butter to 13 & 14
contain 112 Pounds, the Firkin 56, the Pot Car. 2. c. 26.
14; and corrupt Butter not to be mixed
with good, &c. on Pain to forfeit double Value,
and six Times the Value of what is wanting.
Re-packing Butter for Sale to forfeit double
Value.

All Persons may transport Butter, Cheese, &c. 24 Car. 2.
though they exceed the Prices in the Act of Ton- c. 13.
nage and Poundage, paying 1 s. per Barrel
Poundage, and 4 d. for a hundred Weight of
Cheese.

Buyers of Butter to set their Marks on Casks, 4 & 5 W. &
and if afterwards they are opened, and other M. c. 7.
Butter put in, &c. incurs a Forfeiture of 20 s.
for every Firkin. Warehouse-keepers, Skippers,
&c. refusing to receive and ship Butter, &c. to
forfeit.

Buttons. By-Laws.

forfeit 10 s. a Firkin of Butter, and 5 s. for every Weigh of Cheese. Masters of Ships not taking on Board, Half those Penalties.

Buttons.

- 4 & 5 W. 2. **F**oreign Buttons made of Hair, or other Foreign Buttons, not to be imported, on Pain of Forfeiture, and 100 l. importing, and 50 l. selling.
- 10 W. 3. c. 2. Buttons not to be made of Cloth, Stuff, or Wood, under the Penalty of 40 s. a Dozen payable by Taylors setting them on, and Sellers, &c.
- 8 Ann. c. 6. By this Act making or using, &c. Buttons or Buttons-holes of Serge or other Stuff, &c. incurs a Penalty of 5 l. for every Dozen.
- 4 Geo. 1. c. 7. Taylors, &c. shall not make, or set on, upon Clothes, Buttons or Button-holes of Cloth, Serge, or Drugget, &c. on Pain of forfeiting 40 s. per Dozen. And no Persons to wear Clothes, made with such Buttons or Holes, on like Forfeiture, to be levied by Justices of Peace.
- 7 Geo. 1. c. 12. Clothes made of Velvet are excepted out of the Acts.
-

By-Laws.

- 19 H. 7. c. 7. **B**Y-Laws may be made by Corporations for good Government, by their Charters or Prescription; but to have the Approbation of Lord

Cables. Callico.

§ 1.

Lord Chancellor, Chief Justices, &c. on Pain of 40 *l.* if against the publick Good, the King's Prerogative, &c.

Commoners, &c. may make By-Laws, and the Consent of the major Part shall bind the others. 8 E. 3. Tenants in Court-Baron may make By-Laws by Prescription.

Cables.

Making Cables of old Materials which contain seven Inches in Compass, to forfeit four times the Value; and tarring Cordage of old Stuff of less Size, treble Value. 35 *Eliz. c. 8.*

Callico.

Persons wearing in Apparel, any printed, painted, or dyed Callico, shall forfeit 5 *l.* and Drapers exposing it to Sale, incur a Penalty of 20 *l.* But Callicoes dyed all blue, &c. are excepted. 7 *Geo. 1. c. 7.*

And not to extend to wearing or using Stuffs made of Linen, Yarn, and Cotton Wool, manufactured in *England*, and printed with any Colours, &c. 9 *Geo. 2. c. 4.*

G

Candles

Candles and Sope.

9 & 10 Ann. **C**ertain Duties are granted on Candles and Sope by these Statutes.

11 Geo. I. c. 30. Makers of Candles, not to use melting-Houses, without Entry, on Pain of 100 *l.* And to give Notice of making Candles to the Excise-Officer for the Duties, and of the Number, &c. or shall forfeit 50 *l.* Removing the Candles before weighed by the Officer, or mixing them with others, &c. is liable to Penalties.

Sope-makers are to give Notice of the Time of making of Sope, to Excise Officers, on Forfeiture of 5 *l.*

Carriers and Carriages.

3 & 4 W. & M. c. 12. **C**arriers taking more for Carriage of Goods than assess'd by Justices in the Quarter-Sessions, to forfeit 5 *l.*

6 Ann. c. 29. Carriages to be drawn with no more than six Horses, (except for carrying Hay, Straw, Coal, Timber, Ammunition, &c.) on Pain of 5 *l.*

1 Geo. I. c. 10. This Act obliges Carriers not to draw with more than five Horses in Length, under the Penalties *supra*; which is agreeable to 22 Car. 2. the first Statute made on this Head. A Statute made 7 & 8 W. 3. fix'd it to eight Horses and Oxen in Pairs.

5 Geo. I. c. 12. Travelling Waggons not to be drawn with more than six Horses, and no Cart with above three

three, on Pain of forfeiting, the Horses exceeding; and Waggon's are to have the Wheels bound with Iron, two Inches and a Half Broad, or Owners to forfeit all Horses above Three.

In *London, &c.* Carts not to carry more than 6 Geo. 1. c. 61 twelve Sacks of Meal, twelve Quarters of Malt, Seven hundred and a Half of Bricks, one Chalder of Coals, &c. upon Forfeiture of one of the Horses.

Carmen riding in Carts, not having some Person on Foot to guide them, shall forfeit 10 s. 57.

Cattle.

Cattle to be bought in open Fair or Market, 3 & 4 E. 6. and not sold again the same Fair, on Pain of 19. Forfeiture.

To every sixty Sheep, and ten Beasts, one 2 & 3 P. 8. Milch Cow is to be kept by Graziers, &c. on M. Seff. 2. 3. Pain of 20 s.

Importation of Cattle dead or alive declared a 18 Car. 2. c. 2. common Nuisance, and the Cattle liable to Forfeiture.

Any Inhabitant may seize Cattle imported; Parish officers neglecting to seize to forfeit 100 l. and Vessels to be likewise seized. 20 Car. 2. c. 7.

But any Person may transport Horses, Cows, 22 Car. 2. c. Swine, &c. paying the Duties. 13.

Factors, &c. selling Cattle for others, not to buy 22 & 23 Car. fat Cattle other than Swine or Calves, in eighty 2. c. 19. Miles of London, on Pain of Forfeiture. Justices of Peace to license Drovers. Cattle bought in Smithfield-Market, brought into the same again

Certiorari.

to be sold, to be seised for the Use of the Mayor.
Compounding for Offences, to forfeit 20 *l*.

- 1 *Jac.* 2. c. 17. The above Act is continued, but not to extend to Factors, &c. of Farmers.
5 *Ann.* 1. 2. This Act continues the last mentioned.

See more, **Forestallers.**

Certiorari.

- 43 *Eliz.* c. 5. **N**O Writ sued forth to remove an Action to be allowed, unless it be delivered to the Judge or Officer of the Court before the Jury appear.
- 21 *Jac.* 1. c. 18. Process of the Peace not to issue out of the Chancery or *B. R.* but by Motion, and on shewing good Cause. And no *Certiorari* to be allowed, unless the Indicted become bound with Sureties to pay Costs after Conviction, &c.
- 21 *Jac.* 1. c. 23. No Writ to remove a Suit from an inferior Court to be obeyed, unless delivered to the Stewards, &c. before Issue joined; and no Suit to be removed by Writ, where the Thing in Demand exceedeth not 5 *l*.
- 4 & 5 *W. & M.* c. 23. If a *Certiorari* be allowed to remove Proceedings relating to destroying of Game, 50 *l*. Security to be given for Payment of Costs.
- 5 & 6 *W. & M.* c. 11. No *Certiorari* to be granted out of *B. R.* for Removal of an Indictment before Justices of the Peace, at the Quarter-Sessions, before Trial, unless Motion be made in open Court, and the Party indicted find Security by two Persons in 20 *l*. each, to plead to the Indictment *B. R.* &c.

The

Cessavit. Challenge of Jurors. 85

The Judges of Inferior Courts to proceed in ^{12 Geo. 1. c. 6} Suits laid not to exceed 5 *l.* on Writs of *Certiorari* to remove them, &c. tho' there may be Actions against the Defendant, wherein the Plaintiff's Demands shall exceed that Sum.

Cessavit.

IF a Fee-Farmer cease to pay his Rent two ^{6 E. 1. c. 4} Years, the Lessor may bring a *Cessavit*, and recover the Land. And the Heir of the Demandant may maintain a *Cessavit* against the Heir or Assign of the Tenant.

Challenge of Jurors.

IF one challenge a Juror, he shall assign the ^{Stat. 33 E. 1.} Cause, and if he alledge not a good Cause, the Inquest to be taken.

Peremptory Challenge not to be admitted in ^{33 H. 8. c. 23.} Cases of Treason.

Challenge may be had to Jurors not having ^{4 & 5 W. &} 10 *l.* a Year of Freehold, and in *Wales* 6 *l.* per *M. c. 24.* Ann.

Principal Convict of Felony standing mute, or ^{1 Ann. c. 9.} challenging peremptorily above twenty Jurors, the Accessary to be proceeded against as if Principal attainted.

Champerty.

- 33 E. 1. **O**NE convicted of Champerty to be imprisoned for three Years, and fin'd.
- 38 E. 1. Persons not to take upon them a Suit with Intent to have Part of the Thing sued for, or give up a Right to another, on Pain of forfeiting the Value.
- 33 E. 1. Attornies, Stewards, &c. taking a Plea or Suit of Champerty, to be fin'd, and suffer three Years Imprisonment.
- 32 H. 8. c. 9. None to buy pretended Right to Land, unless the Seller hath taken the Profits a Year, on Pain of forfeiting the Value; and none shall retain any Person for Maintenance, embrace Jurors, &c. under the Penalty of 10 *l*.
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Chancery.

- 28 E. 1. c. 5. **T**HE Court of Chancery and B. R. to follow the King.
- 36 E. 3. c. 9. Persons agrieved with any Statute may have Remedy in Chancery.
- 5 Eliz. c. 18. The Authority, Pre-eminence and Advantage, of Lord Keeper of the Great Seal, and Lord Chancellor, declared to be the same.
- 13 Car. 2. This Statute orders that one publick Office be kept near the Rolls, for the Masters in Chancery, where they are to attend; Tables of Fees to be set up, and Masters receiving more than their just Fees, to be disabled, and forfeit 100 *l*.
- Com-

Commissioners appointed to execute the Office of Lord Chancellor, or Lord Keeper, to have the same Authority and Privileges as the Lord Chancellor, and to take Place next after the Peers, and Speaker of the House of Commons. One Commissioner may hear Motions, &c. but not make Decrees.

No *Subpoena* or Process to issue out of the Court of Chancery, till a Bill filed and a Certificate thereof, except in Injunctions to stay Waile or Suits at Law, and upon Dismission of the Bill, the Plaintiff to pay full Costs tax'd by a Master.

Persons under the Age of twenty-one, may convey Lands, on hearing of all Parties in Chancery, and an Order made ; and may be compell'd by Mortgagors, or Persons for whom the Infant is in Trust ; such Persons, a Guardian, &c. first petitioning.

Masters of the Court of Chancery to account for Money in their Hands ; and a new Officer to be appointed called Accountant General, to deliver the Suitor's Money into the Bank, and take out the same by Order, &c. Forging his Hand to any Certificate, is Felony.

Additional Stamp-Duties on original Writs, &c. granted for relieving Suitors of the Chancery, to be paid in as a common Stock, and applied as the Court shall direct ; and deficient Masters to forfeit their Places, &c.

All Orders and Decrees made and sign'd by the Master of the Rolls, shall be good and valid Orders and Decrees of the Court of Chancery ; so as they be not inrolled till signed by the Lord Chancellor.

A Defendant not appearing in usual Time after *Subpoena* issued, on Affidavit that he is not to be

Charitable Corporation.

found, and justly suspected to be gone beyond Sea, or to abscond, &c. the Court of Chancery may make an Order for his Appearance at a certain Day, a Copy whereof to be published in the *Gazette*, and posted up at some publick Place, &c. And then if he do not appear, Plaintiff's Bill shall be taken *pro Confesso*, and the Defendant's Estate sequestred by Decree.

But Persons out of the Realm, returning in 7 Years, may have a Rehearing within six Months, and be admitted to Answer, &c.

Charitable Corporation.

5 Geo. 3. c.
31.

A Corporation of Persons, who in the late Reign obtained a Statute to lend Money to *Industrious Poor*, at 5 *l. per Cent.* on Pawns and Pledges, that they might not fall into the Hands of the Pawn-Brokers.

7 Geo. 2. c.
11.

And for Relief of the Sufferers in the Charitable Corporation, by the Breaking and Frauds of their Officers, &c. Money to be raised by Lottery, and particular Sums paid to the Proprietors, after the Rate of 9 *s.* 9 *d.* for every Pound due to them, &c.

Chester.

Chester.

THIS Statute enacts, That where Murder or Felony is committed by an Inhabitant of the Palatinate of *Chester* in another County, Process shall be made to the Exigent where the Offence was done; and if he then fly into *Cheshire*, the Outlawry to be certified to the Officers there.

Justices of the Peace and Gaol-delivery in *Chester, &c.* to be nominated by the Lord Chancellor. 1 H. 4. c. 18. 27 H. 8. c. 5.

By this Act the Sessions for the County of *Chester* to be kept twice in the Year, at *Michaelmas* and *Easter*. 32 H. 8. c. 43.

No Writ of Protection to be granted in the County Palatine. 34 H. 8. c. 13.

Recognizances of Statutes-Merchant to be acknowledged, and Fines levied before the Mayor of *Chester* for Lands lying there. 2 & 3 E. 6. c. 31. 43 Eliz. c. 15.

Exchequer-Court of the County Palatine of *Chester*, Court of the Dutchy of *Lancaster*, and Courts for the President and Council in the Marches of *Wales, &c.* dissolved. 16 & 17 Car. 1. c. 15.

Church and Churches, Service, &c.

THE Church of *England* to be free, and have all her Rights inviolable. Mag. Chart. 9 H. 3. c. 1.

Writ *Juris Utrum* shall be granted to try whether free Alms belong to a Church, where they are transferred. 13 E. 1. c. 24.

Parsons

- Stat. 35 E. 1.** Parsons not to cut down Trees in the Church-yard, unless for Repair of the Chancel, &c.
- 21 H. 8. c. 13.** Not to have Plurality of Church Livings without a Qualification or Dispensation.
- 1 E. 6. c. 1.** None to speak contemptuously of the Holy Sacrament, on Pain of Imprisonment; and Ministers shall give the Sacrament to all Persons desiring it, without lawful Cause to the contrary.
- 2 & 3 E. 6. c. 1.** Ministers to use the Church-Service, according to the Book of Common Prayer, under the Penalty of forfeiting their Benefices, and six Months Imprisonment.
- 5 & 6 E. 6. c. 1.** Every Person to repair to his Parish-Church every Sunday. And being present at any Form of Prayer used contrary to the Book of Common Prayer, to suffer six Months Imprisonment for the first Offence.
- 5 & 6 E. 6. c. 4.** No ill Language to be used, or Noise made in Church-yards; and Persons striking others there to be excommunicated, and lose one of their Ears.
- 1 M. Sess. 2. c. 3.** Disturbing a licensed Minister, Offenders to be imprison'd for three Months. And disturbing a Minister, incurs a Forfeiture of 20 *l.* by Stat. 1 *W. & M.*
- 1 El. c. 2.** Ministers using any Form of Church-Service, but such as is mentioned in the Book of Common Prayer 5 & 6 E. 6. or Lessons not appointed for Sundays, the Litany, &c. to forfeit for their first Offence a Year's Profit of their Livings, and suffer six Months Imprisonment; for the second to be deprived, &c. Persons depraving the Book of Common Prayer by Rhimes, Interludes, &c. to forfeit 100 Marks, or be imprisoned six Months. Persons not resorting to their Parish Churches every Sunday to forfeit 1 *s.*

Persons

Church and Churches, Service, &c. 91

Persons not repairing to Church according to 23 *Eliz. c. 1.* the Statute of 1 *Eliz.* to forfeit 20 *l.* per Month; but this relates to Popish Recusants. Others absenting from Church 1 *s.* for every Default; Persons retaining Servants, &c. who do not come to Church in a Month 10 *l.* 3 *Jac. 1. c. 4.* And Schoolmasters absenting from Church, or not allowed by the Bishop, 10 *l.* a Month.

Ministers in every Cathedral and Parish-Church 3 *Jac. 1. c. 1.* to say Morning Prayer and give Thanks on the 5th of *November*, yearly, and all Persons to resort to Church on that Day. And by 12 *Car. 2. c. 14.* & 30. the 30th of *January* and the 29th of *May*, are directed to be celebrated, the former as a Day of Fasting and Humiliation, and the latter as a Day of Thanksgiving.

Ministers to use the Administration of the Sa- 13 & 14
craments and publick Prayers, with the Additions *Car. 2. c. 4.*
and Alterations now made by the Convocation.
Ministers to declare their Assent. To subscribe
the Declaration. And those resident on Livings,
to read the Service once a Month, on Pain of 5 *l.*
No Person to administer the Sacrament before he
is ordained Priest, under the Penalty of 100 *l.*
The Thirty-nine Articles to be subscribed; and
Lecturers, Preachers, &c. to be licensed by the
Archbishop or Bishop. Persons disabled from
preaching, two Justices, &c. may commit for
three Months. The Book of Common Prayer to
be provided for the Church in every Parish under
the Penalty of 3 *l.* a Month. Protestant Dis-
senters exempted from Penalties by 1 *W. & M.*

Parsons marrying People without publishing 7 & 8 *W. 3.*
the Banns, or License, forfeit 100 *l.* &c. c. 35.

For compleating of *St. Paul's*, and repairing 8 & 9 *W. 3.*
Westminster-Abbey, this Act grants a Duty of 1 *s.* c. 14.
per

Church and Churches, Service, &c.

per Chaldron on Coals. A sixth Part of the Fund to be appropriated for *Westminster-Abbey.* The Archbishop of *Canterbury*, Bishop of *London*, Lord Mayor, &c. Commissioners.

1 *Ann. c. 12.* The Duty is increased to 2 *s. per Chaldron* by this Act. The Church-yard to be enclosed, and Persons building thereon, except for the Use of the Church, declar'd a common Nuisance.

6 *Ann. c. 21.* Statutes used in the Government of Cathedral and Collegiate Churches since the Restoration, founded by King *Henry VIII.* to be good and valid. But her Majesty may alter, or make new Statutes for settling Visitations.

9 *Ann. c. 22.* This Act imposes a Duty of 2 *s. per Chaldron* on Coals for eight Years, for the building fifty new Churches in or near *London* and *Westminster*, &c. Commissioners to be appointed, who may purchase Lands, ascertain Bounds, &c. Rectors to be appointed by the Crown, who may take Lands of 200 *l. per Annum.* First Churchwardens and Vestrymen, &c. to be elected by the Commissioners, who may make Divisions of Parishes. Ecclesiastical Jurisdiction under the Bishop of *London.*

12 *Ann. Sess.* This Act was made for vesting the waste Ground near the Maypole in the *Strand* in Commissioners for building a new Church.
1. c. 17.

12 *Ann. c. 4.* Large Wastes or Commons in the West Riding of the County of *York*, with the Consent of Lords of Manors, Freeholders, &c. to be inclosed, a sixth Part for the Benefit of Clergymen, whose Livings do not exceed 40 *l.* a Year, to be settled in Trustees, who may grant Leases for twenty-one Years, &c.

12 *Ann. c. 12.* Curates licensed by the Bishop to be appointed by him a Stipend not exceeding 50 *l.* nor less than 20 *l.*

20 *l.* a Year according to the Value of the Living, to be paid as he shall think fit by the Rector or Vicar. And the same on any Complaint made.

Inquiry to be made into yearly Value of 1 *Geo.* 1. c. Churches, for better distributing the Augmenta- 10. tion of the Maintenance for Poor Clergy; and Churches and Curacies augmented by the Governors of the Bounty of *Q. Anne* to be perpetual Cures, &c.

A Duty granted on Coals imported in *London*, 1 *Geo.* 1. c. to be appropriated for maintaining Ministers 23. for the fifty new Churches; and the King to appoint Commissioners to inquire, and execute Powers.

The Act 12 *Ann.* to prevent the Growth of 5 *Geo.* 1. c. 3. Schism, repeal'd in part by this Act.

Churchwardens.

BY this Statute Churchwardens to be nomi- 43 *El.* c. 2. nated yearly in *Easter* Week. And by 1 *Jac.* 1. they are chosen by the joint Consent of the Minister and Parishioners. They are to see that the Parishioners come to Church of a Sunday, and levy the 12 *d.* for every Offence; and 3 *s.* 4 *d.* for Persons in Alehouses of a Sunday, &c. To prevent Offences. Repair the Church. By the Statutes 3 *Car.* 1. and 13 & 14 *Car.* 2. Churchwardens, &c. have Power to set up Trades for employing the Poor; to place out poor Apprentices; and for settling, &c. of poor Persons. And by Statute 9 *Geo.* 1. They may

- 1 *Jac. 1. c. 8.* Stabbing a Person not having a Weapon drawn, if he dies in six Months, ousted of Clergy, except in Cases of *se defendendo*, &c.
- 1 *Jac. 1. c. 12.* Persons convicted of Invocation of evil Spirits, or consulting any such, &c. using Witchcraft, &c. and laming any Person, is Felony without Benefit of Clergy. Repealed by 9 *Geo. 2.*
- 21 *Jas. 1. c. 6.* In Felony where a Man may have his Clergy, the Woman to be burnt in the Hand.
- 22 *Car. 2. c. 5.* Persons cutting or carrying away Cloth from Tenters, or stealing any of the King's Stores to the Value of 20 s. not to be allowed Clergy. But the Court may reprieve and transport them to the Plantations.
- 3 & 4 *W. & M. c. 9.* Breaking any Shop or Warehouse, &c. and stealing to the Value of 5 s. no Person being therein, excluded Clergy; and Persons stealing Goods let to them in Lodgings, &c. is made Felony, and Buyers and Receivers of stolen Goods, Accessories.
- 10 & 11 *W. 3. c. 23.* By this Statute, for stealing Goods from a Shop, Warehouse, &c. privately to the Value of 5 s. tho' no breaking, Clergy is taken away.
- 1 *Ann. c. 9.* Felony without Clergy to destroy Ships to the Prejudice of the Owners.
- 5 *Ann. c. 6.* Persons burnt in the Hand for Theft or Larceny to be sent to the House of Correction for not less than six Months, nor above two Years. Persons having the Benefit of Clergy, not required to read, but to be punished as a Clerk Convict.
- 4 *Geo. 1. c. 11.* Persons Convict of Felony, Larceny, &c. within the Benefit of Clergy, to be sent to the Plantations for seven Years instead of being burnt in the Hand, &c.

Clerk of the Market.

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The Forging of Deeds, Bills, &c. or stealing 2 Geo. 2. c. 23.
Bonds, &c. for Money. Stealing Linen from 4 Geo. 2. c. 16
whitening Grounds, &c. 10 s. Value. Cutting 6 Geo. 2.
down Hop-binds. Firing Mines maliciously, Fe- 10 Geo. 2.
lony excluded Clergy.

Clerk of the Market.

Clerk of the Market of the King's House, to cause false Weights and Measures to be burnt. 13 R. 2. c. 4.

Clerks of the Market to have Weights and Measures with them when they make Essay of Weights, &c. mark'd according to the Standard of the Exchequer. 16 R. 2. c. 3.

To be one Weight and Measure throughout the Realm; and none to keep and sell by any other, on Pain of 5 s. Clerks of Markets of the King's or Prince's Household, only to execute their Offices within the Verge; and Head Officers to act in Corporations, &c. Sealing Weights not agreeable to the Standard, refusing to seal, or taking greater Fees than allowed, 5 l. Penalty. 16 Car. 2.

Clerks of Markets refusing to mark or seal Measures, being required, &c. to forfeit 5 l. for the first Offence, and for every other Offence 10 l. A Measure of Brals to be chain'd to every Market-place; and Toll to be taken in Proportion to such Measures. 22 Car. 2. c. 8;

If excessive Toll be taken in a Market-Town, by the Lord's Consent, the Franchise to be seised. 3 E. 1. c. 31.

H

Clerk

Clerk of the Peace.

- 34 & 35 H. 8. c. 14. **C**lerks of the Peace, Clerks of the Crown, &c. to certify into the King's Bench the Tenor of every Indictment, Outlawry, &c. within forty Days, under the Penalty of 40 s.
- 37 H. 8. c. 1. The *Custos Rotulorum* to appoint the Clerk of the Peace, who may execute by Deputy.
- 5 Eliz. c. 12. The Clerk of the Peace to write and enter the Licenses and Recognizances of Badgers, &c. granted in Sessions.
- 22 & 23 Car. 2. c. 22. Clerks of the Peace and Town-Clerks to deliver to the Sheriff within twenty Days after *Michaelmas* yearly an Estreat of all Fines, &c. under the Penalty of 50 l. concealing any Indictment, Fine, &c. or miscertifying, to forfeit treble Value, and be disabled.
- 1 W. & M. Sess. 1. c. 21. Clerks of the Peace misdemeaning themselves, the Justices of Peace in Quarter-Sessions to discharge them; and the *Custos Rotulorum* to chuse others resident in the County, or on Default the Quarter-Sessions to appoint. No *Custos Rotulorum*; &c. to sell the Place of Clerk of the Peace, on Pain of forfeiting double Value of the Sum given, and both disabled to enjoy their Places.
- 10 & 11 W. 3. c. 23. Clerks of the Peace, &c. not to take above 2 s. for drawing any Bill of Indictment against a Felon, under the Penalty of 5 l. Drawing defective Bills, to draw new ones *Gratis* under the like Penalty.
- 3 Geo. 1. c. 18. The *Custos Rotulorum*, two Justices of Peace, and the Clerk of the Peace, to enrol Deeds of Bargain and Sale of Lands of Papists. And the Clerk

Clerks of the Signet.

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Clerk of the Peace to register their Estates, &c.
not taking the Oaths.

Clerks of the Signet.

Clerks of the Signet and Privy Seal to take ^{27 H. 8. c. 11.}
for Warrants passing the Seals, the Fees
following, *viz.* For a Warrant upon a Bill for
Tales or Reward 12 *d.* For a Warrant for the
Gift of any Office, 20 *d.* For a Warrant for
a Pension, Annuity or Wages, 20 *d.* For the
Warrant of a special Livery or Perpetuity, 6 *s.*
8 *d.* For a Warrant upon every Bill for a *Conge*
d'office, Donation, Presentation, &c. 3 *s.* 4 *d.*
For a Warrant upon a License, Pardon, &c. 2 *s.*
Warrant upon a Denization, 3 *s.* 4 *d.* Warrant
for keeping of an Idiot, 20 *d.* &c. And Clerks
taking more for writing such Warrants to for-
feit 10 *l.*

Cloth and Clothiers.

NO Cloths made beyond Sea to be brought ^{12 E. 3. c. 3.}
into the King's Dominions on Pain of
Forfeiture.

Cloths are to be made sufficient, and be of ^{27 E. 3. c. 12.}
such a Length and Breadth; and shall be water- ^{4 E. 4.}
ed, fulled and Sealed, &c. ^{27 H. 8.}

Faulty Cloths expos'd to Sale, to be for- ^{5 & 6 E. 6.}
feited. ^{c. 6.}

Cloth and Clothiers.

- 3 Eliz. c. 4. Cloth-Weavers not to take Apprentices, but such whose Parents have 3 *l.* per Annum Freehold, on Pain of 40 *s.* per Month. Clothiers Servants to be imprisoned departing without giving a Quarter's Warning, or refusing to serve for Statute Wages.
- 29 Eliz. c. 20. Justices, &c. to appoint Searchers of Cloth yearly, who refusing to officiate, to forfeit 5 *l.* and not making Search once a Quarter to forfeit 10 *l.* Searchers to fix Seals; others doing it without Warrant, liable to the same Penalty. Searchers may enter Houses, to search for Engines used to stretch Northern Cloth, Persons opposing them to forfeit 10 *l.* Clothiers using Engines to forfeit 20 *l.*
- 7 Jac. I. c. 7. Spinsters, &c. imbezilling or detaining any Wool from Clothiers, &c. to make Satisfaction, or be whip'd and put in the Stocks. Increas'd to double Value by Stat 1 Ann.
- 10 Ann. c. 16. All mix'd or medley Broad-Cloth, at Instance
1 Geo. I. c. 15. of the Buyer shall be put into Water for Proof, and measured by two indifferent Persons chosen by the Buyer and Seller, or by one appointed by chief Magistrates of Towns, &c. Broad Cloths to contain the Quantity mentioned in the Seals, or the Seller to forfeit a sixth Part. Millmen refusing to fix Seals, and others defacing or counterfeiting, &c. to forfeit 20 *l.* Cloths not to be stretch'd above one Yard in twenty in Length. And Clothiers to pay Work-people in Money, under the Penalty of 20 *s.*
- 12 Geo. I.
c. 34. Contracts and Combinations of Weavers, for regulating the Clothing, or advancing their Wages, to be void, and Offenders committed to Prison for three Months; and the like Punishment for departing from Service before Work is finished,

Cloth and Clothiers.

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finished, &c. Damaging any Work, to forfeit double Value. Clothiers shall pay Journeymen Weavers Wages in Money, and not Goods, which may be levied by two Justices: Persons assaulting any Master Weaver, or sending threatening Letters, &c. for not submitting to illegal By-Laws, is Felony and Transportation.

Clothiers working up again Ends of Yarn, &c. 13 Geo. 1. shall forfeit 5 l. leviable by Justices. Owners of ^{c.} 23. Racks in Gloucestershire, Wilts, &c. to mark the true Length in Yards, on Pain of 5 l. And Justices of Peace in Sessions are to chuse Inspectors, to measure and affix Lead Seals to every Cloth, and keep a Register, &c. Refusing the Inspectors Entrance, incurs a Forfeiture of 10 l. And Millmen sending Clothiers Cloths before inspected, forfeit 40 s.

Acts to regulate the Clothing Trade, in the 11 Geo. 1. West-Riding of Yorkshire; Cloths to be made of ^{c.} 24. certain Lengths, and Clothiers weave their Names in the Heads of Cloths, &c. The Masters of 7 Geo. 2. c. 25. Fulling Mills, not stamping on a Seal of Lead fixed to every Broad Cloth, in Figures the Length and Breadth of such Cloth, and also their Names, shall forfeit 20 s. And Cloths to be measured 11 Geo. 2. by a sworn Searcher, &c. ^{c.} 28.

See Wool.

H 3

Coaches.

Coaches.

- 1 *Fac. 1.* Coachmakers Wares to be search'd by Per-
 c. 22. sons appointed by the Sadlers Company.
- 5 *W. & M.* Eight hundred Coaches and two hundred
 c. 22. Chairs to be licensed in *London and Westminster.*
- 9 *Ann. c. 23.* Persons driving without License to forfeit 5 *l.*
- 1 *Geo. 1. c. 57.* a Chair 40 *s.* Commissioners licensing above
 the Number, liable to the Penalty of 100 *l.*
 Fare allowed is 10 *s.* per Day for a Coach; 1 *s.*
 6 *d.* the first Hour, and 1 *s.* the Hours after,
 or 1 *s.* for a Mile and four Furlongs, and 1 *s.* 6 *d.*
 for two Miles. A Chair is 1 *s.* a Mile. Refu-
 sing to go for Fair forfeit 40 *s.* But by 1 *Geo. 1.*
 it is made not exceeding 3 *l.* nor under 10 *s.* le-
 viable by the Commissioners, &c. Coachmen to
 have Numbers to their Coaches, on Pain of 5 *l.*
 On Sundays one hundred seventy-five only to
 ply: Driving on that Day without being ap-
 pointed, to forfeit likewise 5 *l.* None but li-
 censed Coaches to ply at Funerals under the
 like Penalty.
- 12 *Geo. 1.* Commissioners to license an additional Number
 c. 12. of one hundred Chairs, &c.

Coals.

- 9 *H 5. c. 10.* Keels in the Port of *Newcastle* to be mea-
 sured by Commissioners, before Carriage
 of Coals, on Pain of Forfeiture.

The Sack of Coal to contain four Bushels of 7 E. 6. c. 7. clean Coal.

Sea-Coals brought into the River *Thames* and 16th 17 *Car.* sold, to contain thirty-six Bushels heap'd the ^{2. c. 2.} Chaldron; and one Hundred and twelve Pounds perpetual. the Hundred, on Pain of Forfeiture. The Lord Mayor, &c. may set Rates or Prices upon Coals sold by Retail. Retailers refusing to sell at those Rates, Officers may enter Wharfs, &c. by Force, and make Sale at the Rates appointed.

Commissioners to be appointed by the King 30 *Car.* 2. c. 8. for measuring and marking of Keels, Boats, Carriages, &c. for Coals in *Newcastle*. Keels, &c. carrying Coals before measur'd and mark'd to be forfeited, with the Coals; removing or altering Marks to forfeit 10 *l.*

This Statute lays a Duty of 1 s. 6 d. per 1 *Fac.* 2. Chaldron on Coals in *London* for finishing the ^{c. 15.} Cathedral of *St. Paul's*; Monies to be applied by the Archbishop of *Canterbury*, the Bishop of *London*, and the Lord Mayor.

English Ships trading in Coals may be mann'd 2 *W. & M.* with Foreigners during the War. ^{Seff. 2. c. 17.}

Coals imported to pay 5 s. per Chaldron Duty, 6th 7 *W.* 3. and Culm 1 s. and Coals sold by the Tun 5 s. ^{c. 18.} per Tun; to be paid at the Place of Importation. Two Mariners allowed to every Hundred Ton of Shipping Press-free. Pressing them to forfeit 10 *l.* Nine Ships of War to convoy the Coal-Trade.

This Statute takes off the Duties *supra*, and 9th 10 *W.* 3. imposes a Duty of 5 s. per Ton, or 7 s. 6 d. per ^{c. 13.} Chaldron for Coals sold by Measure, to be paid by the Importer for Coals brought from *Scotland*, or other Parts beyond Sea. For Coals laid on Board in *English* Ports 3 s. 4 d. per Ton, and

5 *s.* per Chaldron, and 1 *s.* per Chaldron for Culm ship'd in this Kingdom.

6 *Ann. c. 22.* Coal exported in foreign Bottoms to pay 10 *s.* per Chaldron, in *British* Bottoms only 3 *s.* per Chaldron.

8 *Ann. c. 4.* This A&T grants an additional Duty of 3 *s.* per Ton, and 4 *s.* 6 *d.* per Chaldron for Foreign Coals, and 3 *s.* per Chaldron for Water-born Coals, appropriated to a Lottery.

9 *Ann. c. 6.* *Welsh* Coals, &c. exported to *Ireland*, &c. to pay 1 *s.* per Chaldron; to the Plantations, 2 *s.* Coals imported from foreign Parts, 2 *s.* per Ton, and 3 *s.* per Chaldron; carried from Port to Port, 1 *s.* 4 *d.* per Ton, and 2 *s.* the Chaldron. Granted for thirty-two Years.

9 *Ann. c. 28.* Contracts between Coal-owners, Masters of Ships, &c. for restraining the buying of Coals, &c. are void; and Parties to forfeit 100 *l.* Factors 50 *l.* Masters of Vessels 20 *l.* Certificates to be made of Lading, &c. for false ones to forfeit 10 *l.* Selling Coals for other Sorts than they are, to forfeit 50 *l.* Not above fifty laden Colliers to continue in the Port of *Newcastle*, &c. on Pain of 50 *l.* Work-people in the Mines not to be employed who are hired by others, under the Penalty of 5 *l.*

12 *Ann. c. 17.* This A&T grants a Duty of 1 *d.* per Chaldron for Coals and Culm, and 3 *d.* for every Ton of Shipping coming into the Port of *London* (except those Colliers, Fishing-vessels, &c.) for the Repair of *Dagenham* Breach.

3 *Geo. 2. c. 26.* No Buyer of Coals to act as Agent, for any Master or Owner of a Ship importing Coal, under the Penalty of 200 *l.* And Coal-owners selling one Sort for another, or any particular Coals in Preference of others, shall forfeit 500 *l.*
Coal.

Coal-Sacks to be sealed and marked, and be four Feet and two Inches long, and twenty-six Inches broad, on Pain of 20 s. And Sellers of Coals, shall keep a Bushel edged with Iron, and sealed or stamped, and put three Bushels to a Sack; using other Measures, to forfeit 50 l. Penalties above 5 l. recovered by Action of Debt, and under, before Justices of the Peace, &c.

The Price of Coals not to be enhanced in the ^{4 Geo. 2. c. 30.} River *Thames*, by keeping Turn on Delivery, &c. on Pain of 100 l.

The Lord Mayor and Court of Aldermen are ^{11 Geo. 2. c. 15.} empowered to set the Price of all Sea-Coals imported into *London*, and Ports adjacent, for one Year; and Persons selling Coals out of any Vessel, Yard or Warehouse, for a higher Price, shall forfeit 36 s. per Chaldron, to be levied by Distress, by Warrant of two Justices, &c. And if any Person vending Coals at *Newcastle*, refuse to put on Ship-board a Loading of Coals, on Tender of Payment of the Price there, he is liable to the Forfeiture of 100 l. recoverable by Action or Information.

Coffee, Tea, &c.

THE Custom Duty on Coffee and Tea, and ^{10 Geo. 1. c. 10.} Cocoa-Nuts taken off, and Inland Duties to be paid, 2 s. per Pound of Coffee, Tea 4 s. a Pound, and Chocolate 1 s. 6 d. Druggists, &c. dealing in Coffee, Tea or Chocolate, to make Entries of Warehouses, and Coffee and Tea; which shall not be sold but in Places entered, and

and if above six Pounds Weight, to have a Permit. Dealers in Coffee, Coffee-house-keepers, &c. to keep an Account of Goods sold every Day, and deliver Books to the Officers on Oath.

Chocolate-Makers to make an Entry of all Chocolate, under Penalty of 50 *l.* and the Chocolate to be stamp'd, &c. Persons concealing any Coffee, Tea, or Chocolate, to forfeit it, and treble Value.

- 4 Geo. 2. c. 14. Adulterating Tea or Coffee, is liable to 100 *l.* Penalty: And Sophisticating Tea, by dying and manufacturing Leaves of Trees, or Plants, in Imitation of Tea, &c. incurs a Forfeiture of 10 *l.* for every Pound.
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Coin.

20 E. 1.

BY this Statute Merchants are prohibited from trafficking with Money, and importing clipt Coin, &c. on Pain of Forfeiture.

9 E. 3. c. 1.

Gold or Silver Plate or Coin not to be exported without License on Pain of Forfeiture. Search to be made for false Coin imported.

25 E. 3. c. 13.

Money not to be impair'd in Weight or Allay.

27 E. 3. c. 14.

No Coin to be current but the King's own, and any Person may refuse Foreign Coin.

17 R. 2. c. 1.

Foreign Coin not to be current in *England*, but to be melted down.

2 H. 4. c. 5.

Coin or Plate found in the Custody of Persons ready to pass the Seas, or in any Ship, to be forfeited to the King.

3 H. 5. c. 6.

This Statute first made it Treason to clip or file Money.

Gold

Gold to be received in Payment by the King's 9 H. 5. c. 11.
Weight.

Mint-Master to keep to his Allay, and receive 2 H. 6. c. 12.
Silver at the true Value, on Pain of double Damages.

Coins of Gold and Silver to continue current 19 H. 7. c. 5.
notwithstanding some of them are crack'd or worn; but not if they are clipt. Monies clipt to be exchanged at the Mint. Coin transported to Ireland above 6 s. 8 d. or Irish Coin imported above 3 s. 4 d. to be forfeited. A Circle to be made round the Outside of Money.

Halfpence and Farthings to have Stamps; and 14 & 15
when the Bullion is under 100 l. the Owner to H. 8. c. 12.
have a tenth Part in Halfpence.

Counterfeiting, impairing, &c. of Coin, or 14 El. c. 3, 4.
Foreign Coin made current, is made High Trea- 18 El. c. 1, 7.
son. See more Title Treason.

Silver Coin melted down, to be forfeited, and 13 & 14
double Value. Car. 2. c. 31.

Gold and Silver delivered into the Mint, to be 18 Car. 2. c. 5.
assay'd, coined and delivered out according to the Order and Time of bringing in. A Duty of 10 s. per Ton on Wine, Beer, &c. and 20 s. for Brandy imported granted for the Expence of Coinage; which is not to exceed in Officers, &c. 3000 l. per Annum.

This Act directs the levying of the Duties *supra*, &c. 25 Car. 2. c. 8.
and the Act 18 Car. 2. revived and continued by 1 Jac.

These Acts continue the two former.

Refusing to receive crack'd Money in Pay- 3 & 5 &
ment, to forfeit 5 l. 12 W. 3. c. 7.
4 & 5 W. &

Advancing unclipt Money to forfeit 10 l. for M. c. 16.
every 20 s. Buying or selling Clippings or Fi- 6 & 7 W. 3.
lings 500 l. Penalty. Persons melting Coin to be c. 17.
im-

imprisoned six Months besides Forfeiture, &c. Persons apprehending Money-Coiners, Clippers, &c. to have 40 *l.* Reward, and guilty Persons discovering two others to be pardoned, &c.

7 W. 3. c. 1. This Act was made for calling in the Coin. The Commissioners of the Treasury to cause the clipt Money in the Exchequer to be told and weigh'd, and the same to be melted down and recoined; all the new Money when coined to be brought to the Exchequer, and Deficiencies to be made good at the publick Charge. Receivers General of Taxes, Tellers in the Exchequer, &c. are required to take clipt Money being Sterling Silver. In every 100 *l.* Weight to be coined, 40 *l.* to be Shillings, and 10 *l.* Sixpences, under the Penalty of 20 *l.* in the Master of the Mint. Guineas not to be received at a higher Rate than 26 *s.* on Pain of 20 *l.* and no Persons obliged to receive them at that Rate.

7 & 8 W. 3. c. 19. Persons bringing Plate to the Mint to be coined not to pay for Coinage, but to have the same Weight of Money delivered out. Persons keeping publick Houses to have no manufactur'd Plate but Spoons. Molten Silver or Bullion not to be ship'd off without a Certificate from the Lord Mayor, that Oath hath been made it is Foreign Bullion, under the Penalty of 200 *l.* and Officers may seise the Bullion as forfeited. Gold or Silver not exceeding 200,000 *l.* may be exported by the King's License. Guineas not to go for more than 22 *s.*

8 W. 3. c. 2. Hammer'd Silver Coin brought to the Mint to be receiv'd at 5 *s.* 4 *d.* per Ounce. Receivers of Taxes, &c. to receive Money at 5 *s.* 8 *d.* per Ounce till such a Time, afterwards at 5 *s.* 2 *d.* only.

only. Coin not clipt within the innermost Ring, to be receiv'd in Tale, and not by Weighr.

Monies receiv'd by the Mint, &c. at 5 s. 4 d. 8 & 9 W. 3. per Ounce, and 5 s. 8 d. per Ounce, to be delivered back to the Bringers in, and Receivers, &c. to be paid into the Exchequer with an Allowance of the Deficiency in recoinning; Silver Plate, &c. to contain eleven Ounces and ten Penny-Weight of Fine Silver in every Pound, and to be mark'd with the two first Letters of the Worker's Name, on Pain of Forfeiture. Plate received at 5 s. 4 d. per Ounce to be melted down.

This Statute makes it High Treason to make any Stamp, Die, Mould, &c. for Coining, except by Persons employed in the Mint, &c. Conveying such out of the Mint the same; colouring Metal resembling Coin like Gold or Silver, or marking it on the Edges, is likewise Treason; and mixing blanch'd Copper with Silver, to make it heavier, and look like Gold, or receiving or paying counterfeit mill'd Money, is Felony.

Hammer'd Silver Coin may be refus'd in Payment as not being the lawful Coin of this Kingdom.

Any Person may cut, break or deface Pieces of Silver Money suspected to be counterfeit, or diminish'd otherwise than by wearing; but if they appear to be Money, &c. shall stand to the Loss.

No Person to make or coin any Farthings or Halfpence, or Pieces to go for such, of Copper, under the Penalty of 5 l. for every Pound-weight.

By this Act the Lord Treasurer is impower'd to issue out of the Monies arising by the Coinage Duty, the Sum of 500 l. above the Sum of

Common Pleas.

of 3000 *l.* allowed yearly for the Use of the Mint.

7 Ann. c. 24. This Statute makes 8 & 9 W. 3. c. 26, perpetual; and continues 18 Car. 2. c. 5. for seven Years.

3 Geo. 1. On a Scarcity of Silver Coin, for Remedy Guineas were sunk to 21 *s.* by Proclamation.

1 Geo. 1. c. 43. The Coinage Duty on Wine, Beer, &c. and

9 Geo. 1. c. 19. Brandy imported, is continued; and the Treasury to cause Money to be applied for defraying

4 Geo. 2. c. 12. Expence of the Mint; so as with the Coinage Duties it exceed not 15000 *l.* a Year, for England and Scotland.

6 Geo. 2. c. 26. Persons counterfeiting Broad Pieces of Gold, or uttering them knowingly, to be guilty of Treason.

Common Pleas.

9 H. 3. c. 11. **T**HE Common Pleas not to follow the Court, but to be held in some Place certain.

28 E. 1. Nor be holden in the Exchequer.

2 E. 3. c. 11. The Common Bench not to be removed without Warning by Adjournment.

Com.

COMMONS.

Commons to be driven every Year at *Mi-32 H 8* *chastmas*, or in fifteen Days after, under the Penalty of 40 s. And Stoned Horses above two Years old put into Commons, are to be fifteen Hands high, on Pain of Seizure, &c.

Commoners making By-Laws, with Consens *8 E. 3.* of the major Part. See this Act.

Conspiracy.

Justices to do Right, on Writ out of Chan- *23 E. 1. c. 10.* cery, against Conspirators, &c. And Conspiracy to maintain Quarrels, to be inquired into and determined by the Justices.

The Conspiracy of Servants to destroy any *3 H. 7. c. 14.* Peer, Privy Counsellor, &c. was made Felony by this Act.

Corporations conspiring to sell at certain *2 & 3 E. 6.* Prices, dissolves themselves.

Conspiracies of Labourers. *Vide the Head.*

Con-

Constable and Marshal.

- 1 H. 4. c. 14. **A** PPEALS of Things done out of the Realm, to be tried by the Constable and Marshal of *England*.
- 8 R. 2. c. 5. Constable and Marshal not to have Cognizance of Suits which ought to be discuss'd at Common Law.
- 13 R. 2. c. 2. The Constable of *England* hath Cognizance of Things concerning Arms and Wars.
-

Constables of Hundreds, &c.

By Stat.
Winch. 1.
13 E. 1.

Constables of Hundreds were appointed; and by the Common Law they might put a Man in the Stocks who broke the Peace, arrest or imprison one, beating or maiming another, &c. And by the Statutes the Office of Constables relates to Affrays, Alehouses, Arms, Arrests, Artificers, Bakers, Bastardy, Bawdy-houses, Bridges, Butter, Carriages, Cattle, Cloth and Clothiers, Conventicles, Coals, Customs, Deer-stealing, Disfenters, Distillers, Distress, Drunkenness, Dyers, Excise, Felons, Fire, Fish, Forcible Entry, Game, Gaming, Gaols, Gun-powder, Hawkers, Hedge-breakers, Highways, Horses, Hue and Cry, Inns, Juries, Labourers, Land-Tax, Malt, Measures, Militia, Night-walkers, Orchards robb'd, Physicians, Plague, Popish Recusants, Post-Letters, Presentments, Prisons, Riots, Robbery, Rogues, Sabbath, Servants, Shoe-makers, Soldiers, Swearing,

ring, Taylors, Tithes, Tobacco, Turnpikes, Vagrants, Watch, Warrants, Watermen, Weights, Wreck, &c. And their Business is chiefly levying of Penalties, Commitments, &c. by Order of Justices of Peace. They may plead the general Issue, and give the special Matter in Evidence for any Thing done in their Office.

Consultation.

IF the Chancellor, or Chief Justices, on Sight ^{24 E. 1.} *De* of a Libel, conceive the Plaintiff cannot have *Consultation*. Remedy in any Temporal Court, he shall have Consultation, viz. The said Chancellor, &c. shall write to the Ecclesiastical Judges, that they proceed in the Cause, notwithstanding the King's Prohibition.

See **Prohibition.**

Conventicles.

THIS Act was made to prevent and suppress ^{16 Car. 2. c. 4.} Conventicles; but it is expired.

Persons of the Age of Sixteen, being Subjects, ^{22 Car. 2. c. 1.} present at any Conventicle, where there are five or more assembled, to be fined 5 s. for the first Offence, and 10 s. for the second; Persons preaching, 20 l. &c. And suffering a Meeting to be held in a House, &c. 20 l. Penalty. Justices of Peace, &c. may break and enter such Houses,

I

and

Convocation.

and seife Persons assembled. Constables, &c. not informing Justices, to forfeit 5 *l.* And Justices neglecting their Duty 100 *l.* Protestant Dissenters exempt from Penalties. But if they meet in a House with the Doors lock'd, barr'd or bolted, such Dissenters to have no Benefit from 1 *W. & M.* c. 18.

10 *Ann. c. 2.* Officers in the Government, &c. present at any Conventicle, at which there shall be ten Persons, though the Liturgy be used, if the Royal Family be not prayed for in expresse Words, shall forfeit 40 *l.* and be disabled.

See more, **Religion.**

Convocation.

25 *H. 8.* **T**HE Convocation are not to assemble but by the King's Writ, and their Ordinances to have the Royal Assent.

8 *H. 6. c. 1.* And by this Statute the Clergy called to the Convocation are to have the same Liberties and Privileges for themselves and Servants, &c. as Members of Parliament.

See more, **Bishops.**

Coopers.

Coopers.

Coopers to mark their Vessels with their own Marks, on Pain of 3 s. 4 d. A Beer-Barrel to contain thirty-six Gallons, Kilderkin eighteen, and a Firkin nine, Ale-Barrel thirty-two Gallons, Kilderkin sixteen, and Firkin eight. And not to inhance Prices on Pain of 3 s. 4 d. Diminishing a Vessel the same Penalty: Also Vessels to be searched and gaged, &c. 23 H. 8. c. 4.

Coopers to sell their Vessels at such Rates as shall be yearly appointed by Justices, Mayors, &c. on Proclamation, under the Penalty of 3 s. 4 d. 8 Eliz. c. 9.

Copyhold Estates.

Infants and Feme Coverts entitled by Discent, &c. to any Copyhold Estate, not appearing at one of three next Courts of the Manor, to be admitted; in Default, the Lord or his Steward may nominate a Guardian or Attorney, by whom they shall be admitted; and set a Fine, and not being paid in three Months, the Lord to enter on the Lands till satisfied, &c. But no Infant or Feme Covert shall forfeit a Copyhold for neglecting Admittance, or to pay the Fine. 9 Geo. 1. c. 29.

Assignees of Copyhold Estates of poor Prisoners, may compound with the Lord of the Manor, for the usual Fine on Surrender; and be admitted Tenants, &c. 10 Geo. 2. c. 26.

Cordwainers, Tanners, &c.

- 27 H. 8. c. 14. **T**HIS Statute directs Packers to be appointed for Leather to be transported, and Tollers, &c. packing Leather otherwise, the Goods forfeited; and sworn Packers wrong packing to forfeit 5 *l.*
- 5 & 6 E. 6. c. 3. No Persons to engross Leather to sell again, on Pain of Forfeiture; and Girdlers, &c. currying Leather in their Houses to forfeit the same.
- 2 M. c. 8. No Leather-Buyer to sell the same again for Transportation, on Pain of Forfeiture.
- 18 Eliz. c. 9. This statute prohibits shipping of Leather, or Rams Hides (except *Scotch Hides*) on Pain of Forfeiture, and treble Value.
- 1 Jac. 1. c. 22. None shall gash any Hides; nor buy any rough Hides or Calves-skins in the Hair, but Tanners, under the Penalty of Forfeiture; and no Person shall forestall Hides, under the Penalty of 6 *s.* 8 *d.* a Hide. Tanners over-liming Hides, &c. raising them for Sole-Leather, to forfeit them. Leather not to be sold before search'd and seal'd, on Pain of forfeiting 6 *s.* 8 *d.* a Hide, &c. Leather not sufficiently tann'd to be forfeited. Shoemakers to make their Shoes, &c. of sufficient Stuff, on Pain of 3 *s.* 4 *d.* Masters and Wardens of Shoemakers Company in *London*, and Mayors, &c. to appoint Searchers, &c. on Pain of 40 *s.* Triers to be likewise appointed. Searchers allowing insufficient Wares to forfeit 40 *s.* Taking above 2 *d.* every ten Hides, &c. 20 *l.* Curriers, &c. to sell their Wares in open Shop, Fair or Market, on Pain of Forfeiture. Officers of the Customs
not

not using their Endeavours to prevent Transportation of Leather, to forfeit 100 *l.*

Transporters of Leather to forfeit 500 *l.* but ^{13 & 14} Calve-skins, &c. Leather made into Boots, Shoes, ^{Car. 2. c. 7.} &c. may be transported. Red-tann'd Leather to be brought into open Leather-Markets and search'd and seal'd before expos'd to Sale, on Pain of Forfeiture, and Contracts to be void. Master and Wardens of the Curriers Company may enter, search for, and seise Leather prohibited to be used by 1 *Jac.* 1.

This Statute allows the Transportation of Leather into *Scotland, Ireland,* or other Foreign ^{20 Car. 2. c. 5.} Parts, paying a Duty of 1 *s.* for every hundred Weight. And is continu'd by 1 *Jac.* 2. c. 13. 7 & 8 *W.* 3. and 1 *Ann.* c. 13.

Hides, &c. adjudged the Ware and Manufac- ^{1 W. & M. c. 33.} ture of the Currier, and subject to Search, &c. All Persons dealing in Leather may buy tann'd Leather search'd in open Market; and any Person may buy or sell Leather, Hides or Skins by Weight.

One of these Statutes lays a Duty on Hides; ^{9 & 10 Ann.} and the other inflicts a Penalty of 50 *l.* for removing tann'd Leather before it be mark'd by an Officer, &c.

Journeymen Shoemakers imbezilling or pawn- ^{9 Geo. 1. c. 27.} ing Shoes, Leather, &c. a Justice may award Re-compence, or cause Offenders to be whipp'd: Like Penalty to be inflicted on those that buy, or take in Pawn such Shoes, &c. Journeymen leaving their Work undertaken, to be sent to the House of Correction for a Month.

Corn.

- 5 *Eliz. c. 12.* **N**ONE but married Persons, House-keepers, &c. to be Badgers, Buyers or Transporters of Corn, &c. nor such without License from Justices, under the Penalty of 5 *l.* neither may they buy Grain out of open Market without special Words in the License.
- 3 *Car. 1. c. 4.* Corn may be transported to States in Alliance, when Wheat exceeds not the Price of 32 *s.* Rye 20 *s.* Malt 16 *s.* &c. the Quarter.
- 12 *Car. 2. c. 4.* Wheat, Rye, Pease, Beans, Barley, Malt, Oats, Beef, Pork, Bacon, Butter, Cheese and Candles, when they do not exceed, Wheat 40 *s.* the Quarter, Rye, Beans and Pease 24 *s.* Barley and Malt 20 *s.* Oats 16 *s.* Beef 5 *l.* the Barrel, Pork 6 *l.* 10 *s.* Bacon the Pound 6 *d.* Butter the Barrel 4 *l.* 10 *s.* Cheese the Hundred 1 *l.* 10 *s.* Candles the Dozen 5 *s.* may be transported on Payment of the Duties.
- 15 *Car. 2. c. 7.* This Statute settles the Prices of Corn for Transportation, Wheat at 48 *s.* the Quarter, Barley and Malt 28 *s.* Rye, Pease and Beans 32 *s.* Oats 13 *s.* 4 *d.* paying 5 *s.* 4 *d.* per Quarter Custom for Wheat, 4 *s.* for Barley or Malt, 2 *s.* Oats, &c.
- 22 *Car. 2. c. 13.* And by this Act all Persons may transport all Sorts of Corn, though the Prices exceed those *supra*, paying the Duties. This Statute was continued by several Acts in the Reign of King William, and 1 & 5 *Ann.*
- 1 *W. & M. c. 12.* Persons transporting Corn when Malt or Barley is at 24 *s.* per Quarter, Rye 32 *s.* Wheat 48 *s.* or under, to receive from Collectors of the Customs

Customs for every Quarter of Malt 2 s. 6 d. of Rye 3 s. 6 d. and Wheat 5 s. and pay no Custom.

But this Act prohibits Transportation of all ^{10 W. 3. c. 3.} Sorts of Corn, Grain, Meal, Flour, &c. other than for the Sustainance of Passengers, &c. to the Plantations and Factories abroad, under the Penalty of 20 s. per Bushel, and the Corn, &c. to be forfeited.

This Act likewise prohibits Transportation of ^{8 Ann. c. 2.} Corn to foreign Parts; and also Low Wines or Spirits from Malt, Corn, &c. under the Penalty of 5 l. per Barrel. Persons having a License from the Queen to export Oatmeal, &c.

A Custom Duty to be paid for Corn imported ^{2 Geo. 2. c.} here, or shall be forfeited, &c. Justices of Peace ^{18.} to ascertain the Price of Corn, for which a Bounty allowed for Exportation.

Justices where foreign Corn is imported, at ^{5 Geo. 2. c.} their Q. Sessions to charge the Grand Jury to ^{12.} make Presentment on Oath of the Price of *English* Corn, and certify it to chief Officers of the Customs; and Custom Duties to be paid accordingly. No Foreign Corn shall be transported from one Port to another, on Pain of Forfeiture, and 20 s. a Bushel, &c.

Where Persons violently hinder others from ^{11 Geo. 2.} carrying Corn to any Sea-port Town to be ex- ^{c. 22.} ported, by seizing Horses, &c. they shall be imprisoned by two Justices, not exceeding three Months, and be whipt, &c. And for a second Offence guilty of Felony; and the Hundred where done, to make good Damage, if under 100 l. and Offenders not apprehended and convicted in twelve Months.

Coroners.

- 3 E. 1. c. 9. **A** Sheriff, Coroner, &c. for any Reward, &c. concealing Felonies, to be fined, and suffer one Year's Imprisonment.
- 3 E. 1. c. 10. Coroners to be sufficient Men in the County ; and to take nothing for executing their Offices.
- 4 E. 1. Offic. Coronator'. By this Statute Coroners are to enquire upon the Oaths of five or six Men, if they knew where the Person was slain, in what Manner, and who were present ; and Persons found culpable to be committed to Gaol ; Whether the dead Person were known, lay the Night before ; and if any appear guilty of the Murder, to enquire what Goods and Lands he has, and then the dead Body shall be buried. They are to enquire of Persons drown'd, or suddenly dead, examine the Body whether there be any Signs of strangling about the Neck, or of Cords about the Privy Members, &c. Coroners are likewise to enquire of Treasure found, &c.
- 23 E. 3. c. 6. Coroners to be chosen in the full Counties, out of the most fit Persons.
- 2 H. 5. c. 3. On Defaults of Sheriffs, &c. Coroners to impanel Juries of Persons having 10 *l. per Annum*, and return Issues upon Defaulters, under the Penalty of 40 *l.* This Statute was made to suppress Riots, that true Enquiry may be made.
- 3 H. 7. c. 1. Every Coroner upon View of the dead Body, and Enquiry of the Person that committed the Murder, Abettors, &c. to inroll and certify ; the Coroner's Inquisitions to be delivered to the Justices of the next Gaol-Delivery, if not certified into B. R. where the Murderers shall be proceeded

ceeded against. Coroner being remiss in his Duty to forfeit 5 *l.* And not to take for his Fee above 13 *s.* 4 *d.* of the Goods of the Murderer, or out of Amerciament of the Vill for the Escape, if he be gone. Justices of Peace have Power to enquire of Escapes.

Where a Person is slain by Misadventure, the Coroner to take no Fee, on Pain of 40 *s.* Justices of Peace, &c. may enquire and punish Defaults and Extortions of Coroners. 1 H. 8. c. 7.

Corporations, Mayors, &c.

Corporations not to make any Ordinances in Diminution of the King's Prerogative, on Pain of 40 *l.* 19 H. 7. c. 7.

No Corporation by Bond, &c. to restrain any Apprentice, &c. from keeping Shop under the like Penalty of 40 *l.* 28 H. 8. c. 5.

In Acts done by Corporations, the Consent of the greater Part shall be binding. 33 H. 8. c. 27.

Head Officers of Corporations not redressing Abuses of Merchant-Strangers, &c. to pay double Damages, and the Franchise to be seized, &c. 9 E. 3. c. 1.

Persons out of a Corporation or Market-Town not to sell by Retail any woollen Cloth, &c. in such Corporation, (except in open Fairs) under the Penalty of 6 *s.* 8 *d.* and the Wares forfeited. 1 E. 2 P. 8.

None to bear any Office for the Government of any Corporation, &c. that hath not received the Sacrament in a Year past; and to take the Oaths of Allegiance and Supremacy, &c. 13 Car. 2.

Cor-

Corporations, Mayors, &c.

- 3 Geo. 1. c. 3,
6. Corporations confirm'd, and their Officers, tho' they have not taken the Sacrament, &c. But Mayors not to resort to Conventicles, with the Ensigns of Office, on Pain of Disability, &c.
- 11 Geo. 1.
c. 4. If no Mayor, &c. be elected in Corporations at Time appointed by the proper Persons, the next in Place to hold a Court, and chuse one the Day following, &c. or in Default a Writ of *Mandamus* shall issue requiring them to make Election; and if any Mayor voluntarily absent himself, he shall be imprison'd six Months, and disabled to hold any Office in the Corporation. See *Mandamus*.

Mayors. The Duty and Authority of Mayors consists in the following Particulars, viz.

- 8 Eliz. c. 22. Ability of *Apprentices* to be allowed by Mayors, &c.
- 2 E. 6. c. 3. Mayors may seise *Armour* of Affrayers, and arrest them.
- 3 Car. 1.
12 & 13
W. 3. Have Power to assess Prices of *Ale* and Beer; to convict unlicensed Ale-house-keepers, levy Penalties, &c.
- 3 Car. 1. c. 4. To put in Execution the Act 18 Eliz. concerning *Bastards*, chargeable to Parishes.
- 8 Ann. c. 18. To regulate the Assise of *Bread*, examine its Goodness, &c. Persons not observing the Assise, &c. to forfeit 40 s. Selling at higher Price than set by Mayors, forfeit 10 s.
- 3 Geo. 2.
c. 29. To observe whether the *Common Prayer* is read, and enquire into Defaults of Churchwardens.
- 1 Eliz. c. 2. To appoint Searchers of *Cloth* under the Penalty of 5 l.
- 39 El. c. 20. To issue Warrants for Apprehension of Persons defrauding the King of his *Customs*.
- 12 Car. 2.
c. 14.

To

To convict Persons of *Drunkenness*, who for- 4 *Jac.* 1. c. 5.
feit 5 s. and Tiplers 3 s. 4 d. or to be set in the
Stocks six Hours.

To enquire of *Forcible Entries* in their Fran- 8 *H.* 6. c. 9.
chises as Justices of the Peace.

To enquire into *unlawful Games* used by Ap- 33 *H.* 8. c. 8.
prentices, &c. to commit Offenders, and search
Gaming-houses, which are liable to a Forfeiture
of 40 s.

The Laws relating to the *Highways*, to be 1 *Geo.* 1. c.
executed by the Mayor and Justices in Corpora- 48.
tions.

Horses stolen found in a Corporation to be 31 *Eliz.* c. 12.
claim'd before the Mayor, and on Oath made of
the Property, Order to be made for the Delivery,
paying what was given, &c. on Sale.

Mayors to appoint and swear Searchers and 1 *Jac.* 1. c. 23.
Sealers of *Leather*, on Pain of 40 s.

To punish *Orchard-Robbers*, Hedge-breakers, 43 *Eliz.* c. 7.
&c. by whipping, &c.

To tax Inhabitants for Relief of Persons vi- 1 *Jac.* c. 31.
sited with the *Plague*, appoint Searchers, Buriers
of the Dead; command Persons to keep within,
&c.

To make Proclamation for *Rioters* to disperse, 1 *Geo.* 1. c. 6.
who being twelve in Number, and continuing
together an Hour after, are guilty of Felony; to
command Assistance, seize Rioters, &c.

To suppress unlawful Pastimes, &c. on the 1 *Car.* 1. c. 1.
Sabbath-day, and levy the Penalty of 3 s. 4 d.

To hear and determine Matters relating to 5 *Eliz.* c. 4.
Servants, &c. License Labourers to go to ano-
ther County; and to assess the Wages of La-
bourers, &c. at *Easter Sessions*.

To convict Persons of profane *Swearing*, who 21 *Jac.* 1.
forfeit 1 s. Labourers, *Servants*, &c. and 2 s. 6 & 7 *W.* 3.
others,

others, and to be doubled as the Crime repeated, or be set in the Stocks three Hours.

18 H. 6. c. 19. To arrest *Soldiers* departing without License,
13 & 14 W. 3. be present at *Musters*; quarter and billet *Soldiers*,
1 Geo. 1. c. 3. &c. which *Constables*, &c. may do.

12 Ann. c. 23. To cause *Vagrants*, *Lame*, *Blind*, &c. begging, to be whipp'd.

8 H. 6. c. 5. In every City to be a common Balance, and

11 H. 6. c. 8. seal'd *Weights* on Penalty of 10 l. Borough 5 l.

7 H. 7. c. 4. and Town 40 s. And there is to be a common Bushel seal'd. Mayors to provide Marks, and refusing to seal to forfeit 40 s. Permitting Persons to sell by other Measure 5 l.

43 El. c. 14. Mayors, &c. to order the Size of Faggot, Billet, and other *Wood*.

12 Ann. c. 18. To command *Constables* near the Sea-Coasts to call Assistance for the Salvage of a Ship in Danger of *Wreck*.

Sheriffs after Receipt of Writs for electing Members of Parliament, to deliver a Precept to every Mayor, &c. commanding them to chuse *Burgesses* by the Citizens, &c. Making a false Return to forfeit 40 l. to the King, and the like Sum to the Party chosen. See Title *Parliament*.

See more of Corporations, *Franchises*.

Costs. See *Damages*.

Cottages.

Cottages.

NONE to erect a Cottage without laying 31 *Eliz. c. 7.*
four Acres of Land to it, on Pain of 10 *l.*
and 40 *s.* a Month for Continuance. And per-
mitting Inmates to inhabit therein shall forfeit
10 *s.* a Month. But not to extend to Cottages
in Cities, or for Labourers in Mines, Seafaring
Persons, &c. Nor those erected by Order of Ju-
stices in Sessions.

And Churchwardens, &c. by Leave of the 43 *Eliz. c. 2.*
Lord of the Manor may erect Cottages on the
Waste, at the Charge of the Parish, for poor
impotent Persons.

Counterfeiting Letters, &c.

PERSONS obtaining any Money, &c. by coun- 33 *H. 8. c. 1.*
terfeit Letters, &c. convicted before Justices
of Assize, Justices of Peace, &c. to suffer such
Punishment as shall be thought fit, under Death.
Justices in Corporations have like Power to
punish.

Counterfeiting a Hawker's License to forfeit 8 & 9 *W. 3.*
50 *l.* And to forge or counterfeit Exchequer *c. 24, 25.*
Bills is made Felony.

County.

County-Courts.

- Mag. Chart.* **C**ounty-Courts to be held monthly; and the
 35. 9 H. 3. Sheriff's Turn twice a Year, viz. after
Easter and Michaelmas.
- 3 E. 1 c. 33. Sheriffs not to suffer Barretors, &c. to make
 Suit, nor give Judgment without the Saisons.
- 31 E. 3. c. 15. This Statute directs the Turn to be held with-
 in a Month after *Easter and Michaelmas.*
- 11 H. 7. c. 15. No Sheriff to enter in the County-Court any
 Plaint in the Absence of the Plaintiff, nor have
 above one Plaint for one Cause, on Pain of 40 s.
 The Defendant in the County-Court to have
 lawful Summons; and two Justices to View
 Estreats before Sheriffs issue them out of the
 County-Court. Justices have Power to examine
 Officers, &c.
- 3 E. 6. c. 25. County-Courts to be adjourned from Month
 to Month, and no longer.
- 7 & 8 W. 3. On Election of Knights of the Shire, the She-
 6. 25. riff to hold his County-Court at the most publick
 and usual Place, and there proceed to Election;
 and not adjourn the County-Court to any other
 Place, without the Consent of the Candidates,
 or make any unnecessary Adjournment, &c.

Court-Baron.

BY the Statute *Extent. Manerii*, it shall be ^{4 E. 1.}
inquired of Customary Tenants, what they
hold, by what Works and Customs, Rents, He-
riots, Services, and of Woods, and other Profits,
Fishings, &c.

No Steward of a Court-Baron, or Leet, to ^{1 Jac. 1. c. 5.}
receive Profits to his own Use that belong to
the Lord, on Pain of 40*l.* and Disability.

Court-Leet.

THE Stewards of Leets to inquire, if all ^{18 E. 2.}
that owe Suit of Court are present, of
Customs and Services withdrawn, Purprestures ^{14 & 15 H. 8.}
in Lands, Woods, &c. Of Houses set up, or ^{2 & 3 E. 6.}
beat down, and other Annoyances, Bounds ta- ^{31 Eliz.}
ken away, Ways and Waters turn'd or stopp'd,
of Thieves, Hues and Cries not pursued, Blood- ^{1 Jac. 1.}
shed, Escapes, Persons outlawed, Rapes, Money
Coiners, Treasure found, Assise of Bread and
Ale, false Weights and Measures, Games un-
lawful, Offences relating to the Game, of Vic-
tuallers and Labourers, unlawful Fishing, idle
Persons, &c.

Court

Court Martial.

7 H. 7. c. 1. **B**Y this Statute it is made Felony for a Soldier to depart from his Colours, and Justices of Peace had Power to determine these Offences.

4 & 5 W. & M. c. 13. But by this Act Desertion and Mutiny is punishable by a Court Martial. The King, or the General of the Army, to grant Commissions to any Field-Officer or Commander in Chief to call a Court Martial of thirteen at least Commission-Officers, who are to take an Oath for trying truly, and Sentence of Death not to be given unless nine concur. Proceedings to be between eight in the Morning and one in the Afternoon. A Field-Officer not to be tried by any under the Degree of a Captain.

7 Ann. c. 4. The Queen may grant a Commission to a General, &c. to hold a Court Martial within the Realm, for trying Offenders against the Laws of War out of the Realm; or a Soldier deserting abroad, and coming Home, may be sent back to his Regiment to be proceeded against. Acquittal or Conviction in a Court Martial to be a good Bar to an Indictment.

1 Geo. 1. c. 34. In these Acts there are Clauses to the like
11 Geo. 2. Purpose with the preceding Statutes.
c. 2.

See more Title, **Soldiers.**

Court of Piepowder.

THE Plaintiff to make Oath, in the Court *17 E. 4. c. 2.*
of Piepowder, that the Matter of the Com-
plaint and Declaration was done within the Ju-
risdiction and Time of the Fair: Stewards pro-
ceeding or holding Plea otherwise, shall forfeit *5 l.*

Court of Star-chamber.

IN this Court, the Lord Chancellor, Treasur- *3 H. 7. c. 1.*
er and Lord Privy-Seal, calling a Bishop and
Lord of the King's Council, and two Chief
Justices, on Bill or Information, to make Process
against Maintainers, Rioters, Persons unlawfully
assembling, and for other Misdemeanors, and to
punish them as if convicted at Law, by Jury,
&c.

That Statute repealed, and the Court dis- *17 Car. 2.*
solved.

Creditors.

Creditors to recover their Debts of Executors *30 Car. 2.*
or Administrators, who in their own Wrong *c. 7.*
waste, or convert to their Use the Estate of the
Deceased, and they shall be charged as the In-
K restate

testate would have been. Continued by 1 Jac. c. 17. and made perpetual by 4 & 5 W. & M.

3 & 4 W. & M. c. 14. Wills concerning Lands, &c. deemed against Creditors upon Bonds or other Specialties void; and Creditors to have Actions of Debt against the Heir at Law and Devisees. The Heir to be answerable for Debts where he has made Lands over to the Value, and Creditors to be preferred as in Actions against Executors, &c. Devisees of Lands for Payment of Debts, or Children's Portions in Pursuance of a Marriage Contract, to be in Force. Made perpetual by 6 & 7 W. 3. c. 14.

8 & 9 W. 3. c. 18. Two thirds in Number and Value of Creditors may make Compositions with Debtors, and bind all the rest; but they are to make Oath before a Master in Chancery, being required, how their Debts became due, and that they are to receive no greater Advantage than the Composition. Refusing the Oath, claiming more than due, or agreeing to receive greater Advantage, to forfeit 100 £ and their Subscription to be void. But this Act not to make void Securities by Mortgages, &c. which affect not the Person of the Debtor.

9 & 10 W. 3. c. 29. This Act repeals the preceding Statute for Relief of Creditors by Composition of two Thirds in Number, &c. and every Clause therein.

10 Ann. c. 20. 6 Geo. 1. c. 20. 10 Geo. 2. &c. Persons Prisoners for Debt, &c. delivering Accounts of their Estates upon Oath, and likewise making Oath that they have no Estate or Effects to the Value of 20 £ to be discharged. No Person to have Benefit of the Act, who owes 50 £ to one Creditor. Debt to the King not discharged; and on Discharge of the Person of the Prisoner, Judgment against his Lands, Goods, &c.

Or. to stand good, and Creditors may take out a new Execution against the same; Cloths, Bedding, and necessary Tools for Trade excepted. But this Statute extended only to Prisoners in Custody at such a Time, as an Act of Grace.

See **Prison** and **Prisoners.**

Crown.

PPeople of *England* not subject to *France*, or 14 E. 3.
any Foreign Potentate.

By this Statute the Crowns of *England* and 7 H. 4. c. 2.
France were intail'd on the King and his Issue.

This Statute settles the Succession of the 35 H. 8. c. 1.
Crown in the King's Daughter the Lady *Mary*,
Remainder to the Lady *Elizabeth*, Remainder
to such as the King by Letters Patent or Will
should limit.

No Foreign Potentate to exercise any Power 1 Eliz. c. 1.
in the Queen's Dominions, and all Ecclesiastical
Jurisdiction annex'd to the Crown. Maintaining
Power of any Foreign Prelate or Potentate to
forfeit all Goods and Chattels, if the Offender
be not worth 20 *l.* and to suffer one Year's Im-
prisonment; the second Offence a *Pramunire*,
and the third High Treason. Persons to take
Oaths, that the Queen is supreme.

Maintaining the Jurisdiction of *Rome* in any 5 Eliz. c. 1.
of the Queen's Dominions incurs a *Pramunire*.
Ecclesiastical Persons, Officers Ecclesiastical and
Temporal, all Persons taking Orders, Attornies,
Officers in the Ministry, &c. to take the Oath

of Supremacy; refusing to take it on the second Tender, or being formerly convicted of maintaining the Jurisdiction of *Rome*, committing the like Offence, declared High Treason. But this relates only to Clergymen, &c. with Respect to the Oaths.

23 *Eliz. c. 1.* This Statute makes it High Treason for any to pretend to have Power to absolve, or to persuade Persons to withdraw from the Queen's Dominions, with Intent to prevail with them to exercise the Romish Religion, &c. Persons saying Mass to forfeit 200 Marks, hearing it 100 Marks, and one Year's Imprisonment.

27 *Eliz. c. 2.* Jesuits and Ecclesiastical Persons born in the Queen's Dominions, and ordain'd by the pretended Jurisdiction of *Rome*, coming into the Kingdom, adjudg'd guilty of High Treason; and Receivers, Aiders, &c. guilty of Felony. Others, not returning in six Months after Proclamation, the same Crime. Persons knowing Priests, Jesuits, &c. not discovering them to a Justice of Peace, &c. to be fin'd and imprison'd.

1 *Jac. I. c. 1.* This Act recognizes and maintains the Succession to the Crown by Birth-right in King *James*.

1 *Jac. I. c. 4.* This Statute requires that all the Acts of Queen *Elizabeth* be duly put in Execution. And none to send Children, &c. abroad to be instructed in the Popish Religion under the Penalty of 100 *l.* and the Persons sent incapable of any Grant of Inheritance. Women, Children, &c. not to pass the Seas without License of the King or six of the Privy Council (except Merchants, Factors, &c.) if they do, Officers permitting to forfeit Goods, and be imprison'd a Year, &c.

Persons

Persons discovering any that entertain a Popish 3 *Jac. 1. c. 5.*
 Priest, or hear Mass, to have a third Part of
 Forfeitures. Convict Recusants may be licensed
 by three of the Privy Council, or four Justices
 of Peace, &c. to travel about their necessary
 Affairs, notwithstanding 35 *Eliz.* Married Wo-
 man being a Popish Recusant Convict (her Hus-
 band being none) not conforming in a Year, to
 forfeit two Thirds of her Dower, &c. Persons
 married otherwise than according to the Church
 of *England*, not to be Tenant by the Courtesy,
 disabled to enjoy Dower, Jointure, &c. and to
 forfeit 100 *l.* Children to be baptized by a law-
 ful Minister, on Pain of 100 *l.* &c.

No Person to be restored to Blood, &c. till he 7 *Jac. 1. c. 2.*
 have received the Sacrament within a Month,
 and taken the Oaths of Allegiance and Supre-
 macy to the King.

Persons of eighteen Years of Age, Justices of 7 *Jac. 1. c. 6.*
 Peace to require to take the Oath of Allegiance,
 &c. None refusing the Oath capable of any Of-
 fice, (not being of Inheritance or ministerial) to
 practise the Law, Physick, &c. Married Woman,
 being a convicted Recusant, not conforming in
 three Months, to be committed till she does; un-
 less the Husband will pay 10 *l.* a Month. Persons
 going beyond Sea, or sending any to be trained up
 in Popery, or sending Relief, &c. to them, or
 Maintenance to any School, &c. disabled to
 prosecute any Suit, to be Executor or Administra-
 tor, to receive any Legacy, bear any Office, &c.
 and forfeit Goods and Chattels, &c. But conform-
 ing after the Return not to incur the Penalties.

By this Statute the High Commission Court 16 & 17
 exercising Ecclesiastical Jurisdiction by Commis- *Car. 1. c. 2.*
 sion from the Crown, by Virtue of 1 *Eliz. c. 1.*

is taken away and dissolved, and that Branch of the Statute 1 *Eliz.* repealed, &c.

13 *Car.* 2.

c. 12.

This Statute repeals the Statute 17 *Car.* 1. c. 11. except what concerns the High Commission Court; and restores the Ecclesiastical Jurisdiction. And Statute 30 *Car.* 2. obliges Lords Spiritual and Temporal, and others, &c. to take the Oaths and subscribe the Declaration.

1 *W. & M.*

c. 2.

This Statute recites a Declaration of the Lords and Commons made for securing the Liberties of the Kingdom, upon which the Prince and Prince of *Orange* accepted the Crown of *England*, &c. And King *James* having abdicated the Government, recognizes them King and Queen of *England*, &c. King *William* to exercise the Power in both their Names, and the Succession to go to the Survivor; and afterwards to the Heirs of the Body of her Majesty, and for Default of Issue to the Princess *Anne* of *Denmark*, and the Heirs of her Body. Papists are by this Act rendered incapable to inherit the Crown, &c. And Persons absolved of their Allegiance to such.

12 *W.* 3. c. 2.

By this Statute the Princess *Sophia* is declared next in Succession after King *William*, and the Princess *Anne* and their Issue; and the Crown to remain to the Princess *Sophia* and the Heirs of her Body being Protestants. Persons marrying Papists are excluded. Persons coming to the Crown to join in the Communion of the Church of *England*. This Nation not to be engaged in a War for Defence of Dominions not belonging to the Crown. Persons born out of the Realm, though naturalized, not to be of the Privy Council, Member of either House of Parliament, or enjoy any Office, &c. unless descended of
English

English Parents. No Pardon under the Great Seal pleadable to an Impeachment of the Commons.

Persons maliciously writing, printing, preaching, publishing, &c. That King *William* is not lawful and rightful King of these Realms, or that the late King *James*, or the pretended Prince of *Wales*, have any Right to the Crown, &c. incur a *Præmunire*. Persons bearing Office, &c. under his Majesty, Ecclesiastical Persons, Serjeants at Law, Counsellors, Attornies, to take Oath of Abjuration; neglecting or refusing to take the said Oath, incapable to execute Offices and Employments, &c. and to forfeit 500 *l*.

On the Demise of her Majesty, or any King or Queen, all Patents and Grants of Civil and Military Offices, &c. Writs, Commissions of Assize, Commissions of the Peace, &c. to be in Force for six Months. And the Parliament not to be dissolved by the Death of her Majesty, but to act for six Months, unless prorogued or dissolved by the Person to whom the Crown shall come. The next Protestant Heir to be proclaimed; and the seven Great Officers of State, with others to be added by the Successor, to be Lords Justices till his Arrival, &c.

Persons endeavouring to deprive the next in Succession to the Crown from succeeding, and who attempt it by any Overt Act, guilty of High Treason.

Persons by Writing, &c. affirming that the King or Queen of *England* cannot make Laws by the Authority of Parliament to bind the Crown, guilty of High Treason. Preaching or speaking incur a *Præmunire*. Several of the

Statutes of the late Queen, and 1 Geo. 1. c. 15. continue the former Acts to oblige taking the Oath of Abjuration, &c. with Alterations, under the Penalties 13 W. 3.

See Oaths.

See more of Crown, under Title King and Queen.

Crown-Office.

4 & 5 W. 3.
M. c. 18.

Clerk of the Crown of the King's Bench not to receive or file any Information for Trespass, Battery, &c. without express Order in open Court; and not to issue any Process without taking a Recognizance in 26 l. Penalty to prosecute with Effect, &c. And if the Party appear, and the Plaintiff do not procure a Trial in a Year, or if Verdict pass for the Defendant, &c. the Court to award the Defendant Costs, &c. Persons outlawed in this Court for any Thing except Treason or Felony, not obliged to appear in Person, but may appear by Attorney and reverse the same without Bail, except where special Bail is order'd. This Act not to extend to Informations in the Name of their Majesties Coroner or Attorney, who is commonly Master of the Crown-Office. Pleas and Informations on the Demise of the King to stand without calling the Defendants to plead anew, unless they request it.

Clerks

Customs.

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Clerks of the Crown issuing any Process 2-4 & 5 W. & against Grantees of Corporations having Charters; M. c. 22.
Lords of Manors having Conveyances inroll'd, of Forfeitures of Felons, &c. to forfeit 5 l. Upon granting any Exigent for a criminal Matter, before Conviction a Writ of Proclamation to Issue to the Sheriff of the County where the Persons inhabit, according to 31 El. &c. This Act is made perpetual by 7 & 8 W. 3. c. 36.

Customs.

THIS Act orders a Mark to be paid as Custom 14 E. 3. c. 21. for a Sack of Wool.

Custom-house-Officers not to have any Ships 14 R. 2. c. 10. of their own, &c.

Custom-house Officers concealing Customs to 3 H. 6. c. 3. forfeit treble Value.

Merchant-Strangers made Denizens to pay the 11 H 7. c. 14. same Customs and Subsidies as before.

Collectors of the Subsidy of Cloth of Gold, 4 H. 8. c. 6. Silver, Velvet, &c. not to take any thing for sealing, on Pain of 20 l.

Goods to be laden and unladen at certain 1 Eliz. c. 11. Ports, and Officers of the Customs acquainted with it. None to enter Goods but Owners, and Duties granted on Sweets, Wines, &c.

This Statute granted to the King a Subsidy 12 Car. 2. call'd Tonnage on Wine imported, and Poundage for Merchandise exported, during his Life. Herrings and other Sea-fish may be transported without paying any Duty.

Ships

Ships outward bound, and coming from beyond Sea, to be entered at the Custom-house, and Custom Duties paid; under Penalties and Forfeiture of the Goods, one Moiety to the King, the other to the Seisor, &c.

1 *Jac. 2. c. 1.* This Act grants the Duty of Tonnage and Poundage to King *James* for Life.

2 *Jac. 2. c. 4.* For supplying Repairs for the Navy, &c. This Act imposes a Duty on Tobacco and Sugar.

3 *Jac. 2. c. 5.* A Duty laid on Callicoes, and other *Indian* Linen imported; and also on Brandy.

1 *W. & M. Sess. 2. c. 6.* By this Act a Duty is granted on Coffee, Tea, and Chocolate.

2 *W. & M. Sess. 1. c. 4.* Tonnage and Poundage granted to King *William* and Queen *Mary* for four Years.

3 *W. & M. Sess. 2. c. 4.* A Duty granted on Deal, Timber, and other Wood, Hemp-seed, Hops, Pepper, Grocery Wares, Iron, Flax, Glass, Tallow, Beaver Wool, Olive Oil, Paper, Liquorice, Soap, Earthen Ware, Starch, Allom, Brimstone, Tin, &c. imported.

4 & 5 *W. & M. c. 5.* This Statute gives a Duty on Amber Beads, Anchovies, Books, Lamp-black, Brass wrought, Buckrams, Hair Buttons, Carpets, Lustrings, *Scotch* Coals, Walking-Canes, Copper, Cotton, Elephants Teeth, Flax, Flannel, Frize, Furs, Gold and Silver Wire, Goats Hair, Hides, Hemp, Jewels, Leather, Madder, Pitch Plate, Rice, Rosin, Salt, Silk thrown, Silk Ferret, Tar, Ticking, Tapestry, dying Wood, Bees Wax, &c.

6 *W. & M. c. 1.* In Confidence of their Majesties guarding the Seas, and protecting Commerce, the Duties of Tonnage and Poundage are granted to their Majesties for five Years more.

6 & 7 *W. 3. c. 7.* Towards Satisfaction of Debts due for Transport Service, &c. an additional Duty was granted

ted on Coffee, Currans, Chocolate, Cocoa Paste, Tea, Nutmegs, Cinnamon, Cloves, Mace, &c. and Pictures.

This Act continues 1 Jac. 2. for granting an 7 & 8 W. 3. Imposition on Tobacco and Sugar imported, &c. c. 10.

These Acts grant additional Duties, over and 7 & 8 W. 3. above the Tonnage and Poundage, on French 8 & 9 W. 3. Wines, Drugs, &c.

By this Act the Duty on Tin and Pewter ex- 8 & 9 W. 3. ported is lessened, c. 34.

Over and above Tonnage and Poundage, and 9 & 10 W. 3. all additional Duties, another Subsidy called c. 23. Tonnage is granted by this Act during his Majesty's Life.

Additional Duties laid on wrought Silks, and 11 & 12 Bengal Stuffs made in Persia, China or East In- W. 3. c. 3. dia, and Callicoes painted, &c. Muslins imported.

Tonnage and Poundage granted her Majesty 1 Ann. c. 7. during her Life.

By this Statute Tonnage, over and above 2 Ann. c. 9. Tonnage and Poundage Duties, granted her Majesty for three Years.

This Act grants to her Majesty a further Sub- 3 Ann. c. 5. sidy on Wines and Merchandises imported.

The Duties on Wines, &c. over and above 4 Ann. c. 6. Tonnage and Poundage, granted for ninety-eight Years.

A Duty continued on Whalebone, &c. 4 & 5 A. c. 12.

Tonnage and Poundage Duties on Wines and 5 & 6 Ann. Merchandises continued.

The Duties on Wine and Vinegar granted by 7 Ann. c. 8. 1 Jac. 2. &c. are continued by this Act.

For raising 500,000 l. by way of Loan, a Duty 8 Ann. c. 9. was granted on Wax-Candles imported, &c. And on all Candles made in England.

The

- 9 *Ann. c. 21.* The Duties on Candles continued for ever. And likewise the Duties on Wines, Tobacco, *India* Goods, Whalefins, &c. made perpetual.
- 9 *Ann. c. 6.* The Duties first granted by Stat. 12 *Car. 2.* to be paid on Exportation, revived for thirty-two Years.
- 10 *Ann. c. 19.* A Duty granted on Soap for thirty-two Years; and also on Paper, Pastboards, Books, Prints and Maps; and Linens printed or dy'd in foreign Parts imported; and also on Silks, Callicoes, &c. made in *Great Britain*, except those dy'd throughout of one Colour. A Stamp-Duty is likewise granted for thirty-two Years on Vellum, Parchment and Paper, &c.
- 10 *Ann. c. 26.* This Act grants for thirty-two Years a Duty on Deer-skins, and all *Russia* Hides, &c. tann'd Hides, foreign Beasts Skins, &c. imported; and for all Hides, &c. tann'd in *Great Britain*. It likewise grants a Duty on Policies of Insurance.
- 12 *Ann. c. 9.* A Duty granted on Paper made in *Great Britain* for thirty-two Years; and also on all chequer'd and strip'd Linens, &c. and Linens printed imported, on Coals exported, and a further Stamp-Duty on Vellum and Parchment, &c.
- 1 *Geo. I. c. 1.* By this Statute the Duties of Tonnage and Poundage are granted his Majesty for Life.
- 5 *Geo. I. c. 11.* To prevent Frauds in the Customs, if foreign Brandy is imported in Vessels under 15 Tons, the Vessels to be forfeited: Goods taken in at Sea, by any coasting Vessel, shall be also forfeited, &c. And Officers of Customs making collusive Seizures, to forfeit 500 *l.*
- 6 *Geo. 1. c. 20.* Custom-house Officers hinder'd in their Office, by Persons arm'd with Clubs, &c. to the Number of eight, Offenders to be transported for seven Years.

Foreign

Foreign Brandy shall be imported in Vessels above 40 Tons, &c. Buyers and Receivers of run Goods, incur a Penalty of 20 *l.* And Persons passing with Goods, landed without Entry, adjudg'd Runners, &c. And being more than five, having offensive Arms, and resisting Officers of the Customs, are guilty of Felony, and to suffer Transportation. 8. Geo. 1. c. 15.

Custom Duties on Drugs, Pepper, Cloves, &c. taken off; and Allowances made on exporting Silks, Stuffs, &c. Officers of Men of War, receiving Goods on board to trade with, shall forfeit their Commissions, and the Value of the Goods. 24. Geo. 1. c. 1.

Additional Book of Rates to be made, of unrated Goods and Merchandize, by which Custom Duties to be paid; and the Value of Goods omitted in Books of Rates, shall be ascertained by Oath of the Merchant, and pay Duty *ad valorem*, &c. The Duty on Pictures is 3 *l.* for every Picture four Foot Square, 40 *s.* if two Foot, and 20 *s.* being under. 11 Geo. 1. c. 7.

Persons that conceal run Goods, to forfeit them and treble Value; like Penalty for offering such Goods to Sale: And bribing Officers to connive at Fraud, &c. is liable to 500 *l.* Penalty. 11 Geo. 1. c. 30.

Commissioners of the Customs, &c. to cause all Goods seized for unlawful Importation, or Non-payment of Duties, to be condemned, and publicly sold: And if Goods be shipped without Warrant, or Presence of an Officer, they shall be forfeited. Officers of the Customs, &c. are not to trade in Brandy, Coffee, &c. on Pain of 50 *l.* and Forfeiture of Offices. 12 Geo. 1. c. 28.

Wine Lees to pay the same Custom Duties as Wine. No Wines to be imported in Flasks, or Bottles, 1 Geo. 2. c. 22.

Bottles, or in Casks less than 25 Gallons; except *Florence Wine*, or of the Growth of *Turkey*.

7 Geo. 2. c. 14. The like Custom Duties and Excise payable for Brandy, and foreign Spirits, and no more, to be paid for *Arrack* brought from the *East-Indies*; and same Allowance made on Exportation, &c.

9 Geo. 2. c. 35. Persons to Number of Three or more, assembled and arm'd, to be assisting in running Goods, adjudg'd guilty of Felony, and to be transported; so Persons, two or more in Company, found passing within 5 Miles from the Sea Coasts, &c. with any Horse or Cart, whereon are put more than six Pounds of Tea, or five Gallons of Brandy, or other foreign Goods above 30 *l.* Value, landed without Entry, and not having a Permit, and who shall carry any offensive Weapons, &c. and all the Goods forfeited: And suspected Persons lurking near the Sea Coasts, not giving a good Account of themselves, to be sent to the House of Correction for a Month.

Stat. ibid.

If any Persons offer Tea, Brandy, &c. to Sale, without having Permits, those to whom offer'd may seize it, and shall be entitled to a third Part of the Produce on Condemnation, &c. Ships from foreign Parts that have on board Tea, or Brandy, &c. in Casks under 60 Gallons, &c. lying at Anchor, or hovering near the Ports, and not proceeding in their Voyages, all such Tea, &c. to be forfeited: And if foreign Goods be taken in at Sea, by any Ship or Boat, within four Leagues of the Coasts, without paying Customs, the Goods are liable to Forfeiture; and the Masters of Vessels forfeit treble Value.

Stat. ibid.

Where any Person obstructs any Officer of the Customs or Excise, in entering or searching any
coasting

coasting Vessel, he shall forfeit 100 l. And if any Officer being on Board a Ship or Boat, be wounded, or beaten in the Execution of his Office, the Offenders shall be transported.

Custos Rotulorum.

A *Custos Rotulorum*, to be established by 237 H. 8. c. 1. Writing sign'd by the King's Hand, which shall be a Warrant to the Lord Chancellor to put him in Commission. He may execute his Office by a Deputy; appoint a Clerk of the Peace, &c.

By this Act the Lord Chancellor or Lord Keeper was to appoint a *Custos Rotulorum* in every County. 4 E. 6. c. 1.

By this Statute the Nomination of the *Custos Rotulorum* in all Counties to be as directed by 1 W. & M. 25. 37 H. 8. *Custos Rotulorum*, or others to whom Right doth belong, to nominate and appoint the Clerk of the Peace. But not to sell the Place, on Pain of forfeiting double the Sum taken, and the Office of *Custos Rotulorum*.

Damages and Costs.

BY this Statute Damages are given in Assise of Novel Disseisin, &c. Gloc. 1.
6 E. 1.

Disseisees in London to have Damages by Recognizance of the same Assise whereby they recovered 6 E. 2. c. 14.

- vered their Lands, and the Disseisors to be amerced before two Barons of the Exchequer.
- 3 *H. 7. c. 10.* If a Person bound by a Judgment before Execution, sue a Writ of Error to reverse it, and the Judgment be affirmed, the Writ discontinued, &c. the Defendant to recover Costs and Damages.
- 23 *H. 8. c. 15.* If a Plaintiff be Nonsuit, or overthrown by Trial in any Action of Trespass, Covenant, Detinue, Account, upon the Case, &c. the Defendant to have Costs set by the Judge of the Court.
- 24 *H. 8. c. 8.* But no Costs awarded to the Defendant on Actions brought by the King.
- 43 *Eliz. c. 6.* In personal Actions, where the Debt, &c. exceeds not 40 s. no more Costs than Damages to be awarded.
- 4 *Jac. 1. c. 3.* If the Demandant or Plaintiff be nonsuit or overthrown by lawful Trial in any Action whatsoever, the Defendant to have Costs.
- 21 *Jac. 1. c. 16.* Actions of Slander, Damages under 40 s. No more Costs than Damages.
- 13 *Car. 2. c. 2.* If any Person prosecute a Writ of Error for the Reversal of Judgment after Verdict in any Court at *Westminster*, and the Judgment is affirmed, he is to pay double Costs; Actions upon Penal Laws, &c. excepted. Distress wrongfully taken without Cause incurs treble Damages. See Title *Distress*.
- 8 & 9 *W. 3. c. 11.* Where several Persons are made Defendants in any Action of Trespass, &c. and one is acquitted, all to recover Costs; but in all Actions of Trespass, where the Trespass is prov'd wilful and malicious, the Plaintiff to recover Damages and full Costs. Costs are recoverable in Actions of Waste, and Debt upon the Statute for not setting forth of Tithes; and in all Actions upon any Bond or Penal

Penal Sum for Non-performance of Covenants, the Plaintiff may assign as many Breaches as he thinks fit, and the Jury shall assess Damages for those he shall prove broken.

See more Title Amendments.

Darrein Presentment. See Abbowson.

Days in Bank, of Return, &c.

THIS Statute directs the Days in Bank, in all ³¹ H. 3. Cases: Writs coming in *Utas Sancti Mich.* Day given to *Utas Sancti Hill.* &c.

The Day increasing in the Leap-Year, and the ²¹ H. 3. Day next going before, to be accounted one Day.

Only four Days of Return in *Trinity Term*, ³² H. 8. c. 21. viz. *Craft. Trin. Quind. Trin.* and *Tres Trin.* The Term for keeping of Essoins to begin the *Monday* after *Trinity Sunday* yearly, and for Business the *Friday* following. Justices of the King's Courts of Record may assign special Days of Return.

To be only six Days of Return in *Michaelmas* ^{16 & 17} Term, viz. *Tres Mich. Mens. Mich. Craft.* ^{Car. 1. c. 6.} *Anim. Craft. Mart. Octab. Mart.* and *Quind. Mart.* *Michaelmas Term* to begin at *Tres Mich.* for keeping of Essoins, Returns, &c. And the full Term four Days after, viz. the 23d of *October.* *Hillary Term* begins the 23d of *January*; and *Easter Term* begins seventeen Days after

Easter Day. The two issuable Terms are *Hilary* and *Trinity*.

- 6 *Ann. c. 6.* The Court of Exchequer, &c. in *Scotland* to be kept at four Terms in the Year, viz. *Martinas* Term, to begin the 3d of *November*, and end the 29th. *Candlemas* Term beginning the 23d of *January*, and ending the 12th of *February*. *Whitsontide* Term to begin the 25th of *May*, and end the 15th of *June*; and *Lammas* Term beginning the 20th of *July*, and ending the 8th of *August*.
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Deaths and Deceases of Persons beyond Seas, Tenants for Life, &c.

- 19 *Car. 2. c. 6.* IF any Persons, for whose Life or Lives any Estates have been granted, remain beyond Sea, or otherwise absent seven Years, and no Proof made of their being living, to be accounted naturally dead. But if the Person be afterwards proved living at the Time of Eviction of any Person by this Act, then the Tenant, &c. to re-enter and recover Profits, &c.
- 6 *Ann. c. 18.* Persons in Remainder, Reversion, or Expectancy of any Estate after the Death of another, upon making Affidavit in Chancery that they have Cause to believe such other Person dead, and such Death concealed by a Guardian, Trustees, or others, may move the Lord Chancellor once a Year, to order such Guardian to produce the Person. And if not produced, to be taken to
be

be dead, and those claiming may enter. Persons abroad to be viewed by Commissioners sent.

Debt.

NONE to distrain a Forcigner in any City, 3 E. 1. c. 23; Town, &c. for any Debt not justly his, on Pain of grievous Punishment.

Judgment shall be given against a Debtor, 2 R. 2. c. 3. who having made a fraudulent Conveyance to defraud Creditors, retires into a privileged Place, and refuses to appear on Proclamation by the Sheriff.

Citizens and Freemen of London, and others, 3 Jac. 1. c. 1. having Debts owing under 40 s. to cause the Debtor to be summoned to the Court of Requests at Guildhall; refusing to appear, to be imprison'd in one of the Compters, &c. But this Act not to extend to Debts for Rent, or on real Contracts, &c.

In Debt on single Bill, &c. the Defendant may plead Payment in Bar. And pending an Action on Bond, &c. the Defendant may bring in principal, Interest and Costs; and the Court shall give Judgment to discharge the Defendant. 4 & 5 Ann. c. 16.

See Actions.

Debt to the King.

Mag. Chart. 8. 9 *H.* 3. 18. **T**HE King's Debt not to be levied on Lands, when there are Goods and Chattels to satisfy; nor shall Pledges be distrain'd when the Principal is sufficient, and if they answer the Debt, to have the Debtor's Lands, &c.

9 *Hen.* 3. King's Debtors dying, he shall be served before the Executor.

3 *E.* 1. The Sheriff having received the King's Debt, upon his next Account to discharge the Debtor, on Pain to forfeit treble Value; and the Sheriff to give a Tally to the King's Debtor on Payment.

28 *E.* 1. Beasts of the Plough not to be distrained for the King's Debt, if others may be found.

25 *E.* 3. Notwithstanding the King's Protection, Creditors may proceed to Judgment against his Debtor with a *cesset executio* till the King's Debt be paid.

13 *Eliz.* c. 3. All Lands, Tenements and Hereditaments of the Queen's Accountant, and Lands purchased in others Names in Trust for such, liable to Execution as if found by Writing obligatory, &c. and the Queen may sell in six Months to satisfy the Debt, &c.

27 *Eliz.* c. 3. The Queen, &c. may make Sale of the Accountant's Lands, &c. as well after his Death as in his Life-time. But the Heir's Lands not to be sold during his Minority; and if the Accountant or Debtor had a *Quietus* in his Life-time, that shall discharge the Heir of the Debt.

7 *Jac.* 1. c. 25. No Debt shall be assign'd to the King, &c. by any Debtor or Accountant, other than such as did

did originally grow due to the King's Debtor,
&c.

Declaration, Demurrer.

NO Man to be prejudiced if the Matter of his 36 *E. 3. c.*
 Action be fully shewn in the Declaration. 15.

The Plaintiff to declare in three Days after the 8 *Eliz. c. 2.*
 Defendant's Appearance in *B. R.* And in o-
 ther Courts, which sit not *de die in diem*, at the
 next Court.

Judges shall proceed to give Judgment accor- 27 *El. c. 2.*
 ding to the Right of the Cause after Demurrer
 join d, without regard to Defects of Proceeding,
 except such as shall be exprest with the Demur-
 rer; but this not to extend to Appeals of Felony
 or Murder, Indictments on penal Statutes, *&c.*

Causes of Demurrer to be specially set down, 4 & 5 *Ann.*
&c. c. 16.

Deer, and Deer-stealers.

NONE shall keep any Deer-Hays or Buck- 19 *H. 7. c. 11.*
 stalls, except in his own Park, *&c.* under
 the Penalty of 40 s. a Month.

None to kill or chase any Deer, *&c.* in any 3 *Jac. 1. c.*
 Parks or inclosed Grounds, on Pain of suffering 13.
 three Months Imprisonment, and to pay treble
 Damages. And Persons not having 40 l. per An-

nam in Lands, or 200 *l.* in Goods, or inclosed Ground for Deer, not to use any Gun, Bow, Dog, Net, &c. to kill Deer. Guns, &c. to be taken from them.

- 13 Car. 2. c. 10. By this Act coursing, killing, hunting, or taking away any red or fallow Deer, incurs a Penalty of 20 *l.*
- 3 & 4 W. & M. c. 10. This Statute inflicts a Penalty of 20 *l.* for unlawful hunting, coursing, wounding, &c. of Deer, and 30 *l.* for taking or killing; and on Nonpayment, Offenders to be imprisoned a Year, and set on the Pillory. Constables, &c. may search for stolen Venison. Pulling down Pales or Walls of Parks, &c. where Deer are inclosed, three Months Imprisonment.
- 5 Geo. 1. c. 15. Persons convicted of stealing Deer, before discharged, to give Bond for good Behaviour. Park-Keepers killing Deer, without Consent of Owners, to forfeit 50 *l.* And Persons pulling down the Walls of Parks, liable to Penalties for killing of Deer.
- 5 Geo. 1. c. 28. Where Offenders are convicted of Deer-stealing, by a Judge of Gaol-Delivery, they may be transported for seven Years, by this Act.
- 9 Geo. 1. c. 22. If any Persons arm'd with Swords, Fire-Arms, or other Weapons, and having their Faces black'd or disguised, appear in a Forest, Park, &c. and hunt, or kill Deer, rob any Warren, Fish-pond; or shall set Fire to a House, shoot at any Person, send threatening Letters demanding Money, &c. it is Felony: And Persons being charged with Offences by Information, Justices of Peace to certify to a Secretary of State, whereon an Order of Council shall be made, for Offenders to surrender, &c.

Persons

Dilapidations. Disceit.

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Persons convicted a second Time, of hunting ^{10 Geo. 2. c.} or taking away Deer in uninclosed Forests, ^{&c. 32.} or coming arm'd with an Intent to do it, who shall beat or wound any Keeper, &c. to be transported.

Devise. See **Wills.**

Dilapidations.

A Gainst Ecclesiastical Persons suffering Build- ^{13 El. c. 10.} ings to fall to Decay, and making fraudulent Gifts of their personal Estates to hinder Recovery of Dilapidations, this Statute gives Remedy by prosecuting the Grantee, &c.

Monies recovered for Dilapidations to be right- ^{14 Eliz. c. 11.} ly employ'd, under the Penalty of forfeiting double.

Disceit.

PErsons doing any Thing in Disceit of the ^{3 E. 1. c. 29.} Court or Party, to be imprisoned a Year: And Pleaders by Disceit, shall be expelled the Court.

The Writ of Disceit maintainable as well in ^{2 E. 3. c. 17.} case of Garnishment, as of Summons touching Plea of Land.

Discontinuance.

21 H. 7. c. 20. **I**F a Woman having an Estate in Dower for Life, or in Tail jointly with her Husband, or only to herself of his Purchase, &c. do either sole, or with an after-taken Husband, discontinue, or suffer a covinous Recovery, it shall be void.

1 E. 6. c. 7. The Death of the King shall not discontinue any Suit between Party and Party. Assises of Novel Disseisin, *Mort d'Ancestor*, Attaints, &c. not to be discontinued by reason of Death of the Justices, new Commissions, &c. And no Process or Suit before Justices of Assise, Gaol-Delivery, Justices of Peace, &c. discontinued by a new Commission.

12 Car. 2. c. 3. No Pleas, Writs, Complaints, Process, &c. pleaded returned, or having Day in the Courts at *Westminster* at any the four first Returns of *Easter Term* 1660. shall be discontinued by not keeping the said Returns.

Disseisin.

9 H. 3. c. 39. **N**O Man to be disseised of his Lands, or imprison'd, &c. but by Judgment of his Peers, or the Law.

10 H. 3. c. 3. On a Redisseisin, after Recovery in Assise of *Novel Disseisin*, &c. the Sheriff to restore; and *Deforceor* to be fined and imprison'd.

A Discent, unless above five Years after Dissei- 32 H. 8. c.
fin, not to bar Entry of Disseisee. 29.

See *Amse.*

Distillers.

A Distiller shall not keep any private Pipe, 10 & 11 W.
Stop-cock, &c. by which Liquors fit for 3. c. 4.
Distillation may be conveyed from one Back or
Vessel to another, under the Penalty of 100 l.
And Officers of the Excise, with a Constable,
&c. may dig and break up the Ground, or other
Place, to search for such Pipes, &c. which shall
be seized as forfeited, &c.

Distillers to make an Entry of all Warehouses 6 Geo. 1. c. 20.
for keeping Brandy, on Pain of 20 l. and For-
feiture of the Liquor; and no Brandy shall be
sold, but in Places enter'd, under Penalty of 40 s.
a Gallon.

An Excise Duty of 5 s. per Gallon to be paid 2 Geo. 2. c. 17.
by Distillers, for all mix'd or compound Waters
called Gin, Geneva, &c. And Entries made of
Stills, and Still-houses, on Pain of forfeiting 20 l.
Retailers of these Liquors, selling less than a
Gallon, to take out a License at the chief Excise
Office, and pay 20 l. yearly, or shall forfeit 50 l.
But Waters made use of by Apothecaries, and
Arrack, Rum, Citron Water, *Irisb* Usquebaugh,
&c. are excepted.

Cider, &c. used in distilling strong Waters, 3 Geo. 2. c. 7.
shall be exempted from the Duty of Excise; but
Distillers

Distillers using it in any other Way but Distillation, are liable to 5 *l.* Penalty.

6 Geo. 2.
c. 17.

Duty on compound Waters or Spirits, and French Brandy, &c. taken off, and other Duties granted of 1 *s.* and 2 *s.* a Gallon, to be raised in the same Manner as Excise upon Beer, &c. And Distillers or others may export Spirits drawn from Corn of Great Britain, without other Mixture, and on Oath that Duties are paid, shall be allowed a Drawback of 4 *l.* 18 *s.* per Ton, &c.

9 Geo. 2.
c. 23.

No Persons to retail Brandy, Rum, or Geneva, by any Name in less Quantity than two Gallons, without first taking out Licenses, and paying 50 *l.* to the next Office of Excise, &c. on Penalty of 100 *l.* And Persons retailing these Spiritous Liquors, to pay a Duty of 20 *s.* per Gallon: Such Retailers are to make a true Entry of all their Warehouses, Shops, Cellars, &c. under the Penalty of 20 *l.* And 40 *s.* for every Gallon of Liquor conceal'd; and Officers for the said Duties have Power to enter Warehouses, and take an Account thereof.

Stat. *ibid.*

If any Person who sells Goods, Wares or Provisions by Retail, do give away any Spiritous Liquors to Servants, &c. it shall be deemed a retailing them: And no Persons shall hawk, or sell Brandy, &c. about the Streets, Highways, or Fields, in any Wheelbarrow, or Basket, or on a Bulk, Stall, or Shed, &c. on Pain of 10 *l.* being convicted before a Justice; and not paying it, to be committed to the House of Correction for two Months.

This Act shall not extend to Physicians, or Apothecaries, &c. as to any Spiritous Liquors used in Medicines; nor to charge with Duties

Aqua

Aqua vita retailed in *Scotland*. And Persons who have been Distillers seven Years, may exercise any other Trade, &c.

Forfeitures imposed on unlawful Retailers of ^{10 Geo. 2.} Spirituous Liquors, &c. to be recovered and mitigated as by Laws of Excise, except otherwise ordained by ^{c. 17.} 9 Geo. 2. And where Offenders cannot pay Fines, the Commissioners to advance Rewards for Information; and such Offenders to be whipp'd.

The Occupiers of any House or Place, where ^{11 Geo. 2.} Spirituous Liquors are sold, if privy thereto, to ^{c. 26.} be judged Retailers, and forfeit 100 l. And Persons to the Number of five, that in a riotous Manner assemble to beat or wound Informers, or rescue Offenders, shall be guilty of Felony, and transported: And if any Officer of the Peace refuses to be aiding in Execution of the Acts, he shall forfeit 20 l. to be levied by Distress and Sale.

Distress.

OWners of impounded Cattle may give them ^{51 H. 3.} Food; Distresses to be reasonable, and neither Draught Cattle nor Sheep to be distrained, except for Damage Feasant.

None to drive a Distress out of the County ^{Marlb. c. 4.} where taken; if they do, liable to a Fine. And ^{15. 52 H. 3.} no Person but the King's Officer to take a Distress out of his Fee, or in the King's Highway.

Beasts taken and wrongfully with-holden, the ^{Marlb. c. 21.} Sheriff may cause to be delivered. ^{52 H. 3.}

None

Marb. c. 22. None to distrain his Freeholders to answer for any thing touching their Freeholds, but by the King's Writ.

Westm. 2. 37. No Person shall distrain another on purpose to injure him, and put him to Expence, or to make him appear at the County-Court, &c. under the Penalty of treble Damages.

13 E. 1. Distresses to be taken by known Bailiffs, and such as are sworn.

9 E. 2. Distresses not to be taken in the Highway, or in the ancient Fees of the Church.

1 P. & M. c. 12. No Distress of Cattle shall be driven out of the Hundred, except to a Pound Overt in the same County, nor above three Miles distant, nor be impounded in several Places, under the Penalty of 5 *l.* and treble Damages.

2 W. & M. Sess. 1. c. 5. Goods or Chattels distrained for Rent not replevied in five Days, may be appraised and sold by the Person distraining with the Under-Sheriff, Constable, &c. to satisfy the Debt, leaving the Overplus with the Sheriff, &c. for the Owner's Use. Sheaves of Corn, Hay in a Barn, Rick, &c. liable to Distress. For Rescous of Goods distrained and Pound-Breaches, treble Damages are recoverable; and where Distress is taken, and no Rent due, double the Value of the Goods to be recovered, and full Costs of Suit.

8 Ann. c. 17. Where Lessees fraudulently convey away Goods, &c. the Lessor or Landlord may in five Days seise such Goods wheresoever found, as a Distress for the Rent in Arrear, except Goods sold for a valuable Consideration before the Seizure. Distress may be taken for Rent in Arrear where Leases are expired, provided it be made in six Months, and the Tenant in Possession.

Tenants of Lands, &c. fraudulently carrying away their Goods, to prevent Distress for Rent, 11 Geo. 2. c. 19. Landlords within thirty Days after may distrain them wherever they are, as if on the Premises; and such Tenant, and others assisting in the Fraud, shall forfeit double Value of the Goods, recoverable by Action of Debt, &c. And where under 50 l. two Justices of Peace to inquire and order the Offender to pay it, or commit him to the House of Correction for six Months. Landlords to seize Goods concealed in an House, &c. and in Case of a Dwelling-House, on Oath made before a Justice of reasonable Suspicion that the Goods are therein, may break open the same, to distrain.

And any Cattle feeding on Commons, or Stat. *ibid.* Corn growing on the Land, may be taken as a Distress, and where cured be disposed of, &c. if the Tenant do not before pay the Rent and Charges.

Dower.

BY *Magna Charta* a Widow shall immediately 9 H. 3. c. 7. after her Husband's Death have her Marriage-Inheritance; and she shall remain in the chief House of her Husband forty Days, within which Time Dower is to be assigned her; and for her Dower she shall be allotted the third Part of all the Lands which was her Husband's in his Life-time.

A Wo-

20 H. 3.

A Woman deforc'd of her Dower to recover Damages, viz. the Value of her Dower from her Husband's Death.

13 E. 1.

The Wife endowable where Lands were recovered against the Husband by Default or Co-vin. If a Wife be wrongfully endowed during the Minority of an Heir, he at full Age shall be righted. A *Quod ei deforceat* is given to Tenants in Dower, &c. instead of the Writ of Right.

27 H. 8.

If a Jointure be made after Marriage, the Wife may wave it, and demand her Dower; *contra* if it be made before.

1 E. 6. c. 12.

The Wife shall be endowed, although her Husband were attainted, convicted or outlawed of Felony, &c. saving the Right of others.

5 E. 6.

A Wife of one attainted of Treason, not to be endowed: But a Woman's Jointure is not forfeited by the Treason of the Husband.

4 & 5 W. & M. c. 16.

The Widow of a Mortgagor against whom Judgments are had, or where fraudulent Mortgages are made which take away the Right of Redemption, shall not be barr'd of her Dower, if she did not legally join with her Husband in such Mortgage, &c.

Dunkennes. See Alehouses.

Durels.

Bonds made by Durels and Imprisonment declared void, by this Statute. 1 R. 2. c. 13.

If any Bonds, or Statutes, &c. are obtained of Women by Force, to marry the Persons to whom made, or otherwise except for a due Debt, to be void. 31 H. 6. c. 9.

Durham.

By this Act the Bishoprick of *Durham* was dissolved, and the King was to have all the Lands, &c. But this Act was repealed by 1 M. and the Bishoprick revived and new erected, and Jurisdictions annexed to the County Palatine, &c. 7 E. 6.

Justices of the County Palatine may levy Fines of Lands in the County. 5 Eliz. c. 27.

Writs upon Proclamations, &c. to be directed to the Bishop of *Durham*, &c. 31 Eliz. c. 2.

The King's Writ to go to the Bishop or his Chancellor, for electing Members of Parliament in the County Palatine, and the Sheriff to return, &c. 25 Car. 2. c. 9.

Dyers.

Dyers.

3 & 4 E. 6. **N**O Dyer may dye Cloth with Orchel, or
 c. 2. Brazil, to make a false Colour, &c. on
 13 Geo 1. Pain of 20 s. Nor use Logwood in Dying,
 c. 24. under 20 l. Penalty.

23 Eliz. c. 9. Dyers, dying woollen Goods for Mather
 Blacks, not dyed throughout with Woad, Indico
 and Mather, &c. to forfeit certain Penalties from
 40 s. to 4 s. for every Piece of Cloth and Stuff;
 and woollen Goods Mather'd and Woaded, to
 be mark'd with a Rose, &c. Searchers shall be
 appointed by the Dyers Company in London,
 and Justices of Peace in the Country, to search
 Goods; opposing Searchers, incurs 10 l. Pe-
 nalty, &c.

The Forfeitures exceeding 5 l. recoverable
 by Action of Debt, and under levied by two
 Justices.

East-India Company.

9 & 10 W. 3. **F**OR raising a Sum not exceeding two Mil-
 c. 44. lions, and for settling the Trade to the East-
 Indies, enacted, that 160,000 l. per Annum a-
 rising by the Duties on Salt, stamp'd Vellum,
 &c. should be a Fund for the Payment of An-
 nuities of 8 per Cent. to Subscribers. Any Sum
 to be subscribed not less than 100 l. Persons
 paying down Subscriptions to defalk 10 l. per
 Cent. The King by Letters Patent under the

Great Seal to incorporate the Subscribers. Subscribers of 500 *l.* to meet and chuse twenty-four Trustees by way of balloting. Members of the Company not to trade otherwise than in the joint Stock, and to take Oaths of Fidelity. Goods laden in the *Indies* shall be brought to *England* without breaking Bulk. Goods imported to be sold by Inch of Candle. The Stock esteemed a personal Estate. No Member a Bankrupt in respect of his Stock. Company to have the sole Trade; others trading thither without License to forfeit Ship and Goods, and double Value. Company not to owe more than their Capital Stock undivided, which is liable for Debt. An additional Duty of 5 *per Cent.* is laid on *East-India* Goods for the Company to maintain Forts, &c. There's a Proviso in this Act of Redemption of the Fund by Parliament on Payment of the two Millions.

This Act was made for uniting the two *East-India* Companies. The *English* Company trading to the *East-Indies* to advance and pay into the Exchequer 1,200,000 *l.* and borrow by their common Seal on their united Stock 1,500,000 *l.* more than they could before this Act. The 1,200,000 *l.* deemed an Addition to the Stock of the Company. Persons entitled to 7200 *l.* Part of the 200,000 *l.* the original Stock, and have not united, may enjoy their Trade as if this Act had not been made; but the Company may pay the same in three Years, and the Annuities at 8 *per Cent.* and then the whole trade vested in the Company. The Proviso of Redemption 9 *W. 3.* repealed. But a further Proviso inserted.

East-India Company.

10 Ann. c. 9. The *East-India* Company may enter Goods imported by Bills at Sight, and give Security for Payment of the Customs under their Common Seal. Wrought Silks, Bengals, and Stuffs mix'd with Silk of the Manufacture of *East-India*, *China*, or *Persia*, and Callicoës painted, dyed, or stained imported, are prohibited to be worn, by 11 & 12 W. 3. c. 10.

The Interest at 8 *per Cent.* sunk to six and five by subsequent Acts.

5 Geo. 1. c. 21. No Person to go to the *East-Indies* under any Commission from a foreign Prince, on Pain of 500 *l.* And the Company may arrest Persons trading thither, &c.

7 Geo. 1. c. 20. If Goods are put on Board, or taken out of any Ship bound to the *Indies*, (not belonging to the *East-India* Company,) they shall be forfeited, and double the Value, and the Master to forfeit 1000 *l.* Illegal Traders to pay Customs to the King, and 30 *l. per Cent.* Damages to the Company, on a Bill or Information filed by the Attorney General.

9 Geo. 1. c. 26. Subjects of *England* not to subscribe to any foreign Company of Trade to the *East-Indies*; and having Shares of Stock, &c. shall forfeit the same, with treble Value: Persons not lawfully authorized, going to the *Indies*, to be seized and brought hither, and punished by Fine, Imprisonment, &c.

13 Geo. 1. c. 8. The *South-Sea* Company, by License of the *East-India* Company, may send four Ships yearly to *Madagascar* to take in Negroes, and transport them to *Buenos Ayres*; trafficking for other Merchandize, &c. to forfeit their Ships and Goods.

Egyptians.

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Act for reducing the Fund and Annuity of the *3 Geo. 2. c. 14*
East-India Company, &c. On Notice and Re-
payment by Parliament of the Debt of 3,200,000 *l.*
due to the Company, their Annuity of 160,000 *l.*
shall cease: After Redemption, Members to con-
tinue a Body Politick, and have the sole Trade
to the *Indies, &c.* But upon three Years No-
tice after *Lady-day 1766*, and repaying the whole
Capital Stock, the exclusive Trade to cease, and
the Corporation shall carry on a Trade after-
wards in common with others, *&c.*

Ecclesiastical Jurisdiction. See Appeal,
Bishops.

Egyptians.

Egyptians coming into the Realm, to forfeit 12 *H. 8.*
their Goods, and depart in fifteen Days, or *c. 10.*
be imprisoned.

Persons importing any Egyptians in this King- *1 & 2 P. &*
dom, shall forfeit 40 *l.* And the Egyptians re- *M.*
maining in *England* above a Month, adjudged
guilty of Felony.

Conforting with Egyptians, is made Felony by *1 Eliz. c. 20*
this Act.

Ejectment.

Hen. 8.

THE Action of Ejectment, to remove a Possession, was introduced in this Reign; before which Time Action of Trespafs, &c. was used.

*11 Geo. 2.
c. 19.*

Tenants to whom Declarations in Ejectment are delivered for any Lands, &c. shall give their Landlords Notice thereof, under Penalty of three Years Rent; and the Court may suffer the Landlord to make himself Defendant with the Tenant, if he appears; but if not, Judgment to be sign'd against the casual Ejector: But in case the Landlord desires to appear by himself, and consents to enter into the like Rule that the Tenant, if he had appear'd, ought to have done; the Court shall permit it, and stay Execution, till further Order, &c.

See Mortgage, and Rents.

Election of Ecclesiastical Persons, &c.

*Westm. 1.
c. 5. 3 E. 1.*

NONE to disturb any Person from making free Election, on Pain of great Forfeiture.

9 E. 2. c. 14.

There shall be a free Election for the Dignities of the Church.

31 Eliz. c. 6.

Persons having a Voice taking any Reward for Election in any Church, College, School, Hospital, &c. the Election to be void. Persons of such Societies resigning Places for Reward,
the

the Party giving it to forfeit double, and the Party taking incapable of such Place. If any Person for Reward present any Person to a Benefice, the Presentation to be void. And giving or taking such Reward, to forfeit double Value of one Year's Profit of his Living; corrupt Resignations or Exchanges the same.

Election of Members of Parliament.
See **Parliament.**

Engravers.

PERSONS that invent, design and engrave 8 Geo. 2. c. 13. Prints, shall have the sole Right of printing them for fourteen Years, which shall be truly engraved, with their Names: And Printfellers or others engraving and selling such Prints, by Copies of the whole, or in Part, &c. without Proprietor's Consent, or knowingly publishing the same; the Plates and Sheets to be forfeited, and also 5 s. for every Print exposed to Sale.

Entry.

WHEN so many Alterations have been, Marlb. 29. that the Writ of Entry cannot be made 52 H. 3. in usual Form, the Plaintiff may have a Writ of Entry *sur Disseisin en le Post* to recover Seisin.

- 6 E. 1. c. 7. If a Woman alien her Dower in Fee, or for Life, the next Heir, &c. to recover by Writ of Entry.
- 31 H. 8. c. 33. Descent shall not take away the Entry of the Disseisee, &c. where a Disseisor dies seised, not having had peaceable Possession five Years.
- 21 Jac. 1. c. 16. In Actions for Recovery of Lands, &c. Entry to be made in twenty Years, &c. But where a Fine of Lands is pass'd, Entry must be made within five Years after the Proclamation. And by Statute 4 & 5 Ann. no Claim or Entry shall avoid a Fine, unless an Action be commenced in one Year after such Entry.
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Error.

- 13 E. 1. c. 31. Justices to seal a Bill of Exception, to be heard upon Writ of Error.
- 14 E. 3. c. 5. Errors and Delays of Judgments in the Court of Chancery, King's Bench, &c. to be redress'd by Commissioners; or determin'd by the Parliament.
- 31 E. 3. c. 12. The Lord Chancellor, &c. with the Assistance of the Justices, and calling to them the Barons of the Exchequer, &c. to examine and correct erroneous Judgments given in the Exchequer.
- 27 Eliz. c. 8. Where a Judgment is given in the King's Bench, in Debt, Detinue, Covenant, Account, Action upon the Case, Trespass, &c. the Plaintiff or Defendant may sue forth a Writ of Error, unless the Queen be Party, commanding the Chief Justice to cause the Record to be brought before the Justices of the Common Pleas, and Barons of the Exchequer, into the Ex-

Exchequer Chamber, who or six of them have Power to examine, reverse or affirm the Judgment; and after to be remanded, and the King's Bench may proceed. But a Party grieved may still sue in Parliament.

Three Justices of the Common Pleas, or Barons of the Exchequer, may receive Writs of Error, award Process thereon, &c. The not coming of the Chancellor, &c. at the Day of Adjournment, or Return of any Writ, by Force of the Statute 31 Ed. 3. no Discontinuance of the Writ of Error. 31 Eliz. c. 1.

Bail or Security to be given to prosecute Writs of Error, and pay the Debt, &c. if Judgment affirm'd; by these Acts. 3 Jac. 1. c. 8.
16 & 17
Car. 2.

The Lord Chancellor and Lord Treasurer to be present when Judgment is given in Error. 16 Car. 2.
c. 2.

But by this Statute Judgment may be given on Writs of Error in the Exchequer, before the Lord Keeper, in the Absence of the Treasurer. 20 Car. 2.
c. 4.

In Actions real, personal and mixt, the Death of either Party between Verdict and Judgment not alledged for Error. Made perpetual by 1 Jac. 2. 30 Car. 2.
c. 6.

Writs of *Venire*, *Habeas Corpora*, &c. sued out according to this Statute, not erroneous, or assignable for Error. See *Jurists*. 7 & 8 W. 3.
c. 32.

Upon quashing Writs of Error for Defect or Variance from the Record, the Defendant to have Costs, as if Judgment had been affirmed. 4 & 5 Ann.
c. 16.

Writs of Error, varying from the original Record, or otherwise defective, may be amended; and where Verdict hath been given, the Judgment not to be reversed for Defect in Form, 5 Geo. 1. c. 13.

Escapes.

or Substance in Writs, or Variance from the Declaration, &c.

See Jeofails.

Escapes,

- 13 E. 1. c. 11. **I**F an Accountant, &c. committed, escape from Prison, Debt lies against the Keeper of the Gaol.
- 1 R. 3. c. 3. Justices of the Peace have Power in Sessions to enquire of Escapes of Felons.
- 3 H. 7. c. 1. Where a Person is kill'd in the Day-time, and the Murderer escapes, the Town to be amerced.
- 8 & 9 W. 3. c. 27. Keepers of any Prison suffering a Prisoner committed on mesne Process or Execution to be out of the Rules, except on a *Habeas Corpus*, or Rule of Court, it shall be deemed an Escape. See more under the Head **Prisons** and **Privileged Places**; and Statute 1 Ann. c. 6. for Escape-Warrants, under the same Head.

It is Felony for any Person to break Prison and escape, being in for Felony. And in criminal Matters, Gaolers, &c. wilfully suffering an Escape, to be punished for the same Crime for which the Party escaping stood committed.

Escheators.

Escheators.

BY this Statute Escheators are to be chosen 14 E. 3. c. 8. by the Chancellor, Treasurer, and Chief Baron, calling to them the two Chief Justices.

Escheators Inquests to be taken by good and lawful Men resident in the County, and indented between them and the Jurors. 34 E. 3. c. 13.

Escheators to have 20 *l. per Annum* in Fee, 42 E. 3. c. 5. and to execute the Office in Person.

Taking other Inquests than such as are impanelled by the Sheriff, to forfeit 40 *l.* 8 H. 6. c. 16.
Lands seised by the Escheator not to be let to farm before the Office be fully returned, which is to be done in a Month, under the Penalty of 20 *l.*

No Lands to be granted before the King's Title found by Inquisition. 18 H. 6. c. 6.

The Escheator not to take above 40 *s.* for executing a Writ, under the Penalty of 40 *l.* 23 H. 6. c. 17.

Escheator not taking upon him the Office in a Month, to forfeit 20 *l.* 33 H. 8. c. 22.
And if he takes more than 15 *s.* Fees, &c. for finding an Office, where the Lands exceed not 5 *l. per Annum*, he shall forfeit 5 *l.*

Escheators.

Essoins.

Marlb. 13.
52 H. 3. **A**fter Issue joined in Dower, *Darrein Pre-*
sentment, or *Quare Impedit*, one Essoin
or one Default only to be allowed; and if the
Party come not, the Inquest to be taken, and
Judgment given.

Westm. 1. 42. In Assise, Attaints, and *Juris utrum*, after
3 E. 1. Appearance the Tenant not to be essoined.

Westm. 1. 44. Essoin *ultra mare* not to be allowed, but turn-
3 E. 1. ed into a Default, if the Tenant be within the
four Seas.

Westm. 2. No Essoin for any Appellant.

13 E. 1. An Essoin may be allow'd the next Day after

Westm. 2. 27. Inquest, but not at any of the other Days fol-
13 E. 1. lowing.

Stat. de Es-
soins,
12 E. 2. Essoin does not lie where Lands are taken
into the King's Hands; the Party distrained by
his Lands; any Judgment is given; the Party
seen in Court; where a Sheriff is commanded
to make the Party appear, &c. And Essoin *de*
servitio Regis lieth not where the Party is a
Woman; in a Writ of Dower; where the Party
hath an Attorney in his Suit; the Summons is
not returned, &c.

Estreat.

Eftreat.

Justices, Commissioners, &c. to deliver Eftreats 51 H. 3.
into the Exchequer yearly after *Michaelmas*.

If a Tenant or Defendant make Default after 3 E. 1.
the first Attachment returned, the great Eftreat
or Distress shall be awarded.

All Fines to have Writs, which are to be sent 15 E. 2.
into the Exchequer, and entred in the Eftreat,
in order as they are entred in the Chancery
Rolls; next to them shall be entred Charters, Let-
ters Patent, &c. in which any Rent is refer-
ved to the King.

The Party chargeable by the Eftreats of green 42 E. 3. c. 9.
Wax, upon Payment to see the Shedulaes under
Seal, &c. And if it be not totted by the Sher-
riff, he shall pay treble Damages.

Double Eftreats of Fines, &c. at the Sessions 14 R. 2. c. 11.
to be made, containing the Names of the Justices,
&c. and one of them delivered to the Sheriff by
Indenture, out of which he is to satisfy the Al-
lowance to the Justices for Wages, &c.

Sheriffs Eftreats to be in two Parts indented, 11 H. 7. c. 15.
and seal'd by the Sheriff and two Justices of
Peace, who are to view them, and one of them
is to remain with the Sheriff, and the other with
the Justices.

Issues estreated to be levied upon the right 27 Eliz. c. 7.
Persons under the Penalty of five Marks, to be
paid by the Clerk of the Eftreats and the Of-
ficers executing.

Fines, Post-Fines, Forfeitures, &c. to be 22 & 23
estreated into the Exchequer twice a Year, on Car. 2. c. 22.
Pain of 50 l.

Officers

4 & 5 W. & M. c. 24. Officers to deliver Returns of *Estreats* into the Exchequer on Oath.

Evidence.

- 7 Jac. 1. c. 5. IF an Action be brought against a Justice of Peace, Mayor, or Bailiff of a Corporation, Headborough, Constable, Tythingman, or Collector of Subsidies, for any Thing done in their Offices, they may plead the general Issue, and give the special Matter in Evidence. And if the Plaintiff be nonsuited, discontinue, &c. the Defendant to have double Costs. And by 21 Jac. 1. c. 12. this extends to Churchwardens and Overseers of the Poor.
- 7 Jac. 1. c. 12. Shop-Books not be given in Evidence for Wares delivered above a Year before the Action commenced; except there be a Bill of Debt, &c. but not to extend to Trade between Merchants, or one Tradesmen and another.
- 22 & 23 Car. 2. c. 24. Copies of Conveyance of Fee-Farm Rents allowed to be good Evidence in any Court. See **Fee-Farm Rents.**
- 29 Car. 2. c. 8. Copies of Leases of Augmentations made by Bishops, &c. entred by Registers, and examined and attested by such Bishops, &c. to be Evidence at Law, being proved by two Witnesses.
- 5 & 6 W. & M. c. 21. Deeds or Instruments written or ingrossed on Parchment or Paper not stamp'd, not to be pleaded or given in Evidence in any Court.
- 7 & 8 W. 3. c. 34. No Quaker to give Evidence in any criminal Cause, to serve on a Jury, &c.

In Treason to be two lawful Evidences to 7 *W. 3. c. 3.* the same Overt-Act, or two Acts of the same Treason; but the Party accused is not to have a Note of their Names before Trial, though he is to have a Copy of the Indictment. And they are to be upon Oath to speak the Truth, and nothing but the Truth, &c. A perjur'd Person 1 *Ann. c. 9.* may not give Evidence. See **Perjury**.

Action lies against an Evidence for not appearing. See **Actions**.

Exception.

IF the Justices refuse to allow a Bill of Exception *Westm. 1. 32.* tion, the Party impleaded may require their 13 *E. 1.* Seals to it, on tendring the same, &c.

Exception to be taken for miswriting, false 7 *W. 3. c. 3.* Latin, &c. in an Indictment for Treason, &c. by the Prisoner or his Counsel in Court, before Evidence be given in Court, or it shall not be quash'd, or any Process thereupon, on Motion.

Exchange.

EXchanges to be kept where the King pleases. 9 *E. 3. c. 7.* Any Man may exchange Gold for Silver, 25 *E. 3. c. 12.* &c. but none shall take Profit for Money exchanged, but the King's Exchangers, on Pain of Forfeiture.

Foreign

- 14 R. 2. c. 2. Foreign Merchants to buy Merchandize to Value of the Money exchanged, or forfeit the same.
 5 & 6 E. 6. No Person to give or take more for Exchange of Coin than the true Value, under Penalty of forfeiting the Money exchange'd, or to be fined and imprisoned a Year.
 c. 19.
-

Exchequer.

51 H. 3.

ALL Sheriffs, Bailiffs, Escheators, and other Officers to account in the Exchequer before the Treasurer and Barons. About the Feast of St. *Margaret*, before the Close of the Exchequer, Search to be made whether any Sheriff or Bailiff have failed to account that Year; and if any have, the Sheriff's Account to be first heard after *Michaelmas*; but if a Bailiff, he shall be summoned or distrained to account at a Day certain. See *Sheriffs*.

10 E. 1.

The Bodies of Shires to be written in a certain annual Roll and read every Year on the accounting of Sheriffs; in these annual Rolls the Profits of Counties, &c. to be written. Two Knights in every County to be present at the Delivery of Tallies, who are to send one Part indented to the Exchequer. Inquisitors to be appointed in every County of Debts due, of what paid, and what not. No Suit to be prosecuted in the Exchequer-House, unless it concerns the King and his Officers there.

1 R. 2. c. 5.

If any Officer in the Exchequer make out a Process for a Debt already paid, he shall forfeit his Office, be imprison'd, &c.

Persons impeached in the Exchequer may *5 R. 2. c. 9.* plead in their own Discharge.

The Clerk of the Pipe and the two Remembrancers to be sworn to make due Entry every Term of all Writs for the Discharge of Persons, &c.

No Writs, &c. to issue out of the Remembrancer's Office in the Exchequer upon Supposition only, but it must be upon just Ground. And the Treasurer's Remembrancer shall satisfy every Person injur'd upon a bare Supposition. The Remembrancer may issue Process for the Discovery of Tenures, by Order of the Court.

Persons to whom any Money shall be due in the Exchequer, and have any Order registred for Payment, may assign the same by Indorsement; which being entred in the Auditor's Office, the Assignee to have the Benefit thereof.

Officers of the Receipt of the Exchequer may receive and take for their Fees *1 d.* in the Pound for Sums issued out, &c.

Officers of the Exchequer without Delay to receive Monies brought thither, weighing the same in Sums or otherwise, and enter the Receipt, sending a Bill into the Tally Court, whereby a Tally may be duly levied. The Money in the Receipt to be kept in Chests under three different Locks and Keys; the Teller to keep one, the Clerk of the Pells one, and the other to be kept by the eldest of the two Deputy Chamberlains. The Auditor of the Receipt once a Month to visit every Teller's Cash, and examine that the Tellers really have the Money they are charged with, and once in three Months examine the Tellers Vouchers.

The

3 Ann. c. 13. The Duties upon Houses made chargeable with 4 *l.* 10 *s.* *per Cent. per Annum* to the Bank of England for circulating Exchequer Bills. The Lord Treasurer may cause Exchequer Bills to be made of any Sum not exceeding 1,500,000 *l.* for the Use of the War. Officers of the Exchequer diverting or misapplying the Monies appropriated for the 4 *l.* 10 *s.* *per Cent.* to forfeit their Offices, and pay treble Damages and Costs. The Bank not paying Bills, Actions may be brought against the Company, and the Money and Damages recovered. One Part of the Indents of Bills to remain with the Bank. Exchequer Bills being lost, upon Affidavit thereof before a Baron of the Exchequer, and Certificate from such Baron, and Security given, Officers to pay the same, and make out Duplicates. And when Bills are defac'd, new ones to be delivered. Forging Exchequer Bills, &c. is Felony.

Interest on
Bills.

By the Statute 7 & 8 W. 3. c. 31. the King or his Officers in the Exchequer may borrow Money at 7 *per Cent.* or upon the Credit of Bills payable on Demand with Interest not exceeding 3 *d.* *per diem* for every 100 *l.* By 8 & 9 W. 3. c. 20. an Interest of 5 *d.* a Day is allowed for every 100 *l.* But by 12 W. 3. c. 1. the Interest on such Bills is lowered to 4 *d.* a Day for 100 *l.* And 12 Ann. c. 11. by 12 Ann. c. 11. it is sunk to 2 *d.* a Day. And the Bank to have 3 *per Cent.* for circulating, &c.

10 Geo. 1. c. 5. Tellers of the Exchequer allowed 15,144 *l.* to make good Deficiency in their Offices by Reduction of Guineas from one and twenty Shillings and Sixpence to one and twenty Shillings.

2 Geo. 2. c. 6. And Commissioners of the Treasury to allow Lord William Powlet, as Teller of the Exchequer, 4191 *l.* 14 *s.* 6 *d.* stolen out of his Office.

Excise.

BY this Statute was granted to the King for ^{12 Car. 2. c. 2.} Life an Excise on Beer, Ale, Cyder, Vine-^{23.}gar, Strong Water, &c. Brewers not making Entries, &c. forfeit 5 *l.*

Brewers, &c. erecting any Back, Cooler, ^{15 Car. 2. c. 4.} Copper, &c. without giving Notice, or keeping ^{11.} any private Store-house, &c. to forfeit 50 *l.* And bribing a Gauger incurs the Penalty of 10 *l.*

The Duties upon Beer, Ale, Cyder, &c. are ^{1 Jac. 2. c. 2.} by this Act granted to King *James* for his Life; ^{11.} but this Statute was repealed by ^{2 W. & M.}

By this Act the Duties of Excise were granted ^{1 W. & M. c. 24.} to King *William* and Queen *Mary* for three Years.

The Duties on Beer, Ale, &c. are by this ^{2 W. & M. c. 3.} Act granted to their Majesties during their Lives. ^{Seff. 1. c. 3.} And Persons may advance 250,000 *l.* on the Credit of this Act at 8 *per Cent.* and have Tallies of Loan to be delivered out, &c. Their Majesties by Letters Patent may grant 20,000 *l.* *per Ann.* out of these Duties to the Princess *Anne* of *Denmark*.

This Act imposes a Duty of Excise on Low ^{2 W. & M. c. 9.} Wines, Spirits, or Brandy drawn from Corn, &c. ^{Seff. 2. c. 9.}

By this Statute additional Duties are granted ^{2 W. & M. c. 10.} on Beer, Ale, &c. And his Majesty is enabled ^{Seff. 2. c. 10.} to borrow a Sum not exceeding 1,000,000 *l.* on the Credit of this Act for the Uses of the War.

This Statute grants the additional Duties on ^{4 W. & M. c. 3.} Beer, Ale, &c. for Ninety-nine Years. The Sums paid into the Exchequer to be a Fund for paying Annuities of 10 *per Cent.* upon Survivorship of Lives for Ninety-nine Years, or 14

per Cent. for a single Life, to the Contributors of the 1,000,000 *l.*

- 7 & 8 W. 3. A Duty on Low Wines, Spirits, &c. continu'd.
c. 30. Persons having private Tons, Pipes, &c. forfeit 40 *l.* 500,000 *l.* was borrowed on the Credit of this Act at 6 *per Cent.*
- 8 & 9 W. 3. Brewers, &c. keeping any Pipe or Stop-cock
c. 19. under Ground, or other private Conveyances for Worts, &c. to defraud the Excise, liable to the Penalty of 100 *l.* Opposing a Gauger in the Search 50 *l.*
- 8 & 9 W. 3. This Statute imposes an Excise of 6 *d.* *per*
c. 22. Bushel on Malt, and a Duty on Sweets. Malsters altering their Vessels for steeping of Barley, without giving Notice to an Officer of Excise, or keeping private Vessels, forfeit 50 *l.* The Monies arising by the Duties appropriated to the Payment of 1,400,000 *l.* borrowed on this Act in Malt Tickets at 10 *l.* each bearing a Farthing a Day Interest, &c.
- 10 & 11 W. This Act grants additional Duties on Sweets,
3. c. 21. &c.
- 12 W. 3. c. A weekly Sum of 3700 *l.* out of the Hereditary
12. Excise, and Tonnage and Poundage, to be paid into the Exchequer, and appropriated to the Payment of 82,000 *l.* borrowed thereupon at 6 *per Cent.*
- 1 Ann. c. 7. The Excise on Ale, Beer, &c. granted to King Charles the Second, and King William and Queen Mary; granted to Queen Anne during her Life. This Hereditary Excise, Revenue of the Post-Office, &c. chargeable with the yearly Sum of 700,000 *l.* for Support of the Household.
- 1, 2 & 3 Ann. Acts for continuing the Duties on Malt, &c.
3 Ann. c. 4. This Act continues the Excise on Low Wines, &c.

These

These Acts were made for the Continuance of 4, 5 & 6
the Duties on Malt, Mum, Cyder, &c. *Ann.*

This Act was likewise made for continuing 7 *Ann. c. 3.*
those Duties; and Malt brought from *Scotland*,
to pay 6 *d. per Bushel.*

By this Act additional Duties are granted on 8 *Ann. c. 7.*
Beer, Ale, &c. for thirty-two Years.

The Duties on Malt, &c. and Malt brought 9 *Ann. c. 3.*
from *Scotland*, continued. There's a Clause of
Loan in this Act at 6 *per Cent.* for a Sum not ex-
ceeding 650,000 *l.*

By these Acts the Duties on Malt, Mum, Cy- 10 & 12
der, &c. are further continued; Persons to lend *Ann.*
on the Credit of the Act 12 *Ann. 700,000 l. at*
5 *per Cent.* free from all Taxes, and have Tallies
struck, &c.

These Statutes continue the Duties on Malt, 1, 2 & 3
Mum, &c. yearly: And the first grants the Ex- *Geo. 1. &c.*
cise upon Beer and Ale, &c. to King *George* for
his Life.

Officers of Excise, may go on Board Ships, and 11 *Geo. 1. c.*
search for Rum, and other Exciseable Liquors, as 30.
Officers of the Customs do, and seise Commodi-
ties forfeited; which shall be condemned, and
publickly sold, &c.

Complaints made at chief Office of Excise, to 1 *Geo. 2. c.*
be heard by three or more Commissioners; and 21.
Seizures of Brandy, &c. out of Limits of the Ex-
cise Office *London*, may be determined by two
Justices of Peace.

See Customs.

Excommunication.

- 39 H. 3. **B**oniface, Archbishop of *Canterbury*, and the other Bishops with Tapers in their Hands burning, in *Westminster-Hall*, before the King, and the other Estates of the Realm, denounced a Curse and an Excommunication against Breakers of the Liberty of the Church, &c.
- 9 E. 3. Bishops may excommunicate not only all Per-
rurbers of the Peace of the Church, but also Fel-
lons, &c.
- 3 Ed. 1. 23. Writs *de excommunicato capiendo* shall issue
out in Term-time, and be returnable in *B. R.*
the next Term after the *Teste* thereof, having
twenty Days between the *Teste* and the Return.
If the Sheriff return a *Non est inventus*, a *Ca-
pias* shall issue out with a Proclamation for the
Party to yield his Body to the Gaol, under the
Penalty of 10 *l.* If he do not appear on the
first *Capias* and Proclamation, a second to be
granted, and he shall forfeit 20 *l.* &c. Bishops
may receive Submissions, and deliver Excommu-
nicates by Certificate into the Chancery.
- By the King's Letters, Ordinaries may absolve
excommunicate Persons.

Executions.

- Westm.* 2. 18. **W**Here a Debt or Damage is recovered in the
13 E. 1. King's Court, the Party may have a Writ
against the Lands and Chattels of the Debtor; or
against

against all the Chattels, and a Moiety of the Lands to be delivered in Extent.

A Writ of Execution to be within the Year, *Westm. 2. 45.*
and after the Year a *Scire Facias*, *13 E. 1.*

No Execution to be stayed upon any Writ of *3 Fac. 1. c. 8.*
Error, unless the Party give Security to prosecute,
and to pay the Debt and Damages, if the former
Judgment be affirmed.

If a Person die in Execution, new Execution *21 Fac. 1. c.*
to issue against the Lands, &c. as if he had ne-²⁴
ver been taken in Execution.

No Execution to be stayed in any of the King's *16 & 17*
Courts by Writ of Error after a Verdict and *Car. 2. c. 8.*

Judgment given in any personal Action, unless a
Recognizance be entred into according to *3 Fac.*

1. Writs of Error brought by Executors, Actions on penal Laws, Indictments, Appeals, &c. are
excepted out of this Act. This Statute is made
perpetual *22 & 23 Car. 2.*

Sheriffs may deliver in Execution all Lands, *29 Car. 2.*
&c. whereof others shall be seised in Trust for *c. 3.*

him against whom Execution is had, on a Statute,
Judgment, &c. But no Writ of Execution to
bind the Property of Goods, but from the Time
of Delivery to the Sheriff.

Execution upon a Judgment, where an Heir *3 & 4 W. &*
has made over Lands descended to him before *M. c. 14.*

Action brought, shall be taken against such Heir
to the Value of the Land, &c.

Prisoners in Execution escaping, may be re- *8 & 9 W. 3.*
taken by a new *Capias* or other Execution. *c. 27.*

Keepers of Prisons not shewing their Prisoners in
Execution to the Creditor on Notice, judg'd an
Escape.

Goods or Chattels in Messuages, Lands, &c. lea- *8 Ann. c. 17.*
sed for Years, &c. not to be taken in Execution

Executors.

or extended, unless the Party shall before Removal have paid the Landlord one Year's Rent.

Executors.

- Westm. 2. 23.* **E**Xecutors to have the like Writs, Actions and
13 E. 1. Process, as the Testator might have had.
- 9 E. 3. c. 3.* Executors of Executors to have Action of
25 E. 3. c. 5. Debt, Account, and for Goods carried away, and have Execution of Statutes, &c. And to answer to others as the first Executors should have done. In Writ of Debt brought against Executors they shall have but one Essoin.
- 23 H. 6. c. 1.* Servants after the Death of their Masters imbezilling Goods, on Proclamation by Writ from the Lord Chancellor to appear in B. R. or to be attainted of Felony. And appearing, to be imprisoned till they answer the Executors.
- 21 H. 8. c. 4.* Those Executors which take upon them the Charge of the Will, may sell Lands devised to be sold, without the others.
- 32 H. 8. c. 37.* Executors or Administrators of Tenants in Fee-simple, Fee-tail, or for Term of Life, &c. to have Actions of Debt for all Arrearages of Rent, and take Distresses against the Tenants in Possession, &c.
- 43 Eliz. c. 8.* Persons obtaining any Goods or Debts of an Intestate, or Releases of any Debt, &c. by Fraud, procuring Administration to be granted to a Stranger, &c. are chargeable as Executors in their own Wrong, &c.
- 30 Car. 2. c. 7.* Executors of Executors or Administrators who waste any of the Estate of the Person deceased,
 or

or convert it to their own Use, shall be chargeable as the Testator intestate would have been. This Act is made perpetual by 4 & 5 W. & M.

No Action shall charge an Executor on a special Promise to answer Damages out of his own Estate; or any other on an Agreement not to be performed in a Year, unless it be in Writing.

This Statute which gives Costs to Defendants acquitted in Actions of Trespass, Assault, &c. extends not to Executors or Administrators.

Actions of Account may be brought against Executors and Administrators of Guardians, Bailiffs, Receivers, &c.

An Executor to pay Debts before Legacies, and Debts of a higher Nature before others, viz. First Debts to the King, then Debts on Record by Statutes, &c. Debts on Mortgages, Bonds, &c. Rents, Servants Wages, Debts on Shop-Books, &c. or he is liable to the whole.

Exigent and Outlawry.

BY this Statute Exigents are to be awarded against Receivers of the King's Treasure, Conspirators, Rioters, &c.

Where an Exigent is awarded, a Writ of Proclamation shall be issued out to the Sheriff to make three Proclamations for the Defendant to yield himself, before Outlawry shall be pronounced.

This Act likewise orders a Writ of Proclamation to be issued out in every Action personal where an Exigent shall be awarded, and three Proclamations

Extortion.

tions to be made by the Sheriff in the County where the Defendant dwells; and Outlawries otherwise had to be void.

4 & 5 W. & M. c. 22. On granting Exigents for any criminal Matter, before Conviction, there shall issue a Writ of Proclamation, &c. according to 31 *Eliz. &c.*

4 & 5 W. & M. c. 18. When outlaw'd Persons may appear by Attorney and reverse the Outlawry: And the Sheriff may take an Appearance, &c. See Title Appearance.

Extortion.

Westm. 1. 26, § E. 1. **N**O Sheriff, or other Officer of the King's to take any Reward for executing his Office.

Westm. 1. 30, § E. 1. Officers and Marshals of Justices, &c. guilty of Extortion, to render treble Value.

28 H. 6. c. 5. Officers of the Customs making undue Charges and Impositions, &c. Merchants may recover 40 *l.* Damages by Action of Trespass for such Extortion.

29 Eliz. c. 4, § Gen. 1, c. 15. Sheriffs for Executions, and levying Debts, &c. to have Allowances by these Statutes.

Fairs and Markets.

FAIRS kept longer than they ought, to be 2 E. 3. c. 15. seised into the King's Hand; and Proclamation to be made how long Fairs to continue.

Merchants not to sell Wares after the Fair is 5 E. 3. c. 5. ended, on Pain of forfeiting double Value.

In the Court of Piepowder Oath to be made 17 E. 4. c. 2. that the Matter of the Declaration was done within the Jurisdiction and Time of the Fair.

This Statute authorizes Citizens of *London* to 3 H. 7. c. 9. carry their Wares to Fairs and Markets out of the City.

Owners of Fairs or Markets to appoint Toll- 2 & 3 P. & takers or Book-keepers, on Pain of 40 s. And M. c. 7. they to give Account of Horses sold, &c. under the like Penalty.

Sellers of Horses to procure Vouchers of the 31 Eliz. c. Sale of the Horse to them, and for every false 12. Voucher shall forfeit 5 l. The Names of the Buyer, Seller and Voucher, and Price of the Horse to be entred in the Toll-taker's Book, and a Note thereof delivered to the Buyer. A Horse stolen may be redeemed by the Owner in six Months, repaying the Buyer, &c.

False

False Prophecies.

5. Eliz. c. 15. **P**ersons publishing false Prophecies, with Intent to raise Sedition, to forfeit 10 *l.* and suffer Imprisonment for a Year; and for a second Offence, incur Forfeiture of all their Goods, &c.

Fees.

Westm. 2. 42. 13 E. 1. **B**Y this Statute the ancient Fees of Marshals, Chamberlains, &c. of Justices in Eyre, were settled, viz. the King's Chamberlains to have of Archbishops, Bishops, Earls, Barons, &c. holding an intire Barony, a Fine when they do Homage; and of other Spiritual and Temporal Persons who hold not an intire Barony, the Chamberlain to have their upper Garments, or the Price thereof, &c.

Westm. 2. 44. 13 E. 1. Porters to Justices in the Circuit, for Homage done in the Bench to have the upper Garment; for keeping a Jury 10 *d.* Upon a Recovery 4 *d.* On Attaints, great Assises, &c. 1 *s.* Pleas of the Crown 1 *s.* per Dozen. For every Prisoner delivered 4 *d.* The Chirographer's Fee 4 *s.* Clerk for every Writ 1 *d.*

29 Eliz. c. 4. On Writs of Execution Sheriffs to have 12 *d.* in the Pound for the first 100 *l.* and 6 *d.* for every 100 *l.* after.

Attornies not to take unreasonable Fees, &c.

See 3 *Jac.* 1. under Title Attornies,

See more, Clerk of the Signet, Sheriffs.
Fee.

Fee-Farm Rents.

THIS Statute enables the King by Letters Patent to grant divers Fee-Farm Rents due in Right of his Crown, or in Right of his Duchies of *Lancaster* and *Cornwall*, except Quit-Rents, &c. to Trustees to make Sale thereof. The Trustees to convey the same by Bargain and Sale to Purchasers, who may recover the same as the King might. Contractors to pay a Molesty of the Purchase-Money into the Exchequer on agreeing, and the Remainder on Delivery of the Conveyance. Immediate Tenants to be preferred in the Purchase before others. Contracts for Sale to be signed by the Lord Treasurer, &c.

By this Act the Fee-Farm Rents are vested in *Francis Lord Hawley*, and five others, and their Heirs, to make Sale, &c. No Tenant in Tail of any of the said Rents, enabled to bar the Remainder.

Auditors, Receivers, &c. of Fee-Farm Rents to allow 3 s. for every 20 s. Rent to the Persons paying the same; and if Estates be distrained by Auditors for Money which ought to be allowed, they shall forfeit 100 l. This was enacted in Consideration of the Fee-Farm Rents being taxed.

Felony.

Felony.

- 5 H. 4. c. 5. **M**alicious cutting out the Tongue, or putting out of another's Eyes, Felony.
- 8 H. 6. c. 12. Imbezilling of Records made Felony.
- 1 H. 7. c. 7. Persons hunting in Forests, &c. in the Night, or disguised, and concealing the Fact on Examination, Felony.
- 3 H. 7. c. 2. To carry away a Woman against her Will, having Lands or Goods, or being Heir apparent, &c. declared Felony.
- 3 H. 7. c. 14. The King's Servants conspiring against his Life, or the Life of a Privy Counsellor, &c. is Felony. Assaulting a Privy Counsellor the same, by a late Act 9 Ann. c. 16.
- 21 H. 8. c. 7. Where Servants go away with their Master's Goods to the Value of 40 s. it is Felony.
- 1 E. 6. c. 12. Wilful killing by poisoning, adjudged Murder, and Felony.
- 21 Jac. 1. c. 26. To acknowledge any Fine, Deed inroll'd, Statute, Bail, &c. in the Name of any Person, Felony without Clergy.
- 22 & 23 Car. 2. c. 1. Cutting out a Tongue, &c. slitting the Nose, or disabling any Limb, &c. Felony.
- 22 & 23 Car. 2. c. 7. Persons maliciously burning any Ricks of Corn, Hay, Barns, or other Buildings, or destroying Horses, Sheep, &c. guilty of Felony. Hurting any Horses, Cattle, &c. to pay treble Damages.
- 10 & 11 W. 3. c. 3. These Statutes make it Felony to steal Goods, &c. from Shops, Warehouses, Coach-houses, &c. to the Value of 5 s. and order a Reward of 40 l. for apprehending House-breakers, &c. See Burglary.

Stealing

Felony.

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Stealing Chattels, &c. which Persons by Con-6 & 7 W. 3. tract are to use, Felony.

To cast away a Ship wilfully, or cause the same to be done, is Felony. 1 Ann. c. 9.

Counterfeiting Exchequer Bills or any Indorsement, &c. Felony. Lottery Tickets, &c. the same. 7 Ann. c. 7.

Servants purloining or imbezilling their Masters Goods, &c. to the Value of 40 s. Felony. 12 Ann. c. 7.

By this Statute Rioting is made Felony, and also demolishing Meeting-houses, Dwelling-houses, &c. 1 Geo. I. c. 6.

Persons maliciously setting on Fire, or burning any Wood, Underwood or Coppice, guilty of Felony. 1 Geo. I. c. 48.

This Statute orders Transportation of Felons. Persons guilty of Felony, within Benefit of Clergy, sent to the Plantations for seven Years; and for Crimes excluded Clergy, Offenders to be transported for fourteen Years. 4 Geo. I. c. 11.

Returning without License, &c. to suffer Death; but the King may pardon Transportation. 6 Geo. I. c. 23.

If any Person shall take Money for helping others to stolen Goods, and not prosecute the Felon, he shall be guilty of Felony. 6 Geo. I. c. 22.

Forging Deeds, Wills, Bills of Exchange, &c. And stealing Bonds, or Notes for Money, is Felony in the same Degree as if Offenders had taken other Goods of like Value. 2 Geo. 2. c. 25.

Persons stealing or ripping off Lead, Iron Bars, &c. fixed to a House, Outhouse, &c. be guilty of Felony, and transported. Aiders, Buyers and Receivers, liable to same Punishment. 4 Geo. 2. c. 32.

Fines and Recoveries.

4 Geo. 2.
c. 16.

Stealing of Linen, or Fustian from Whiten-
ing Grounds, Drying Houses, &c. to Value of
10 s. Felony.

6 Geo. 2.
c. 37.

It is Felony to cut down Hop-binds from Poles.
Persons assaulting with Intent to commit Rob-
bery: And assisting in Running of Goods, to
Number of three armed, &c. Felony and Trans-
portation.

7 Geo. 2.
c. 21.

9 Geo. 2.
c. 35.

10 Geo. 2.
c. 52.

11 Geo. 2.
c. 22, 26.

Persons maliciously firing Mines, guilty of Fe-
lony. Also using Violence to hinder Carriages,
&c. from carrying Corn to be exported; and
five Persons or more assembling in a riotous Man-
ner, to beat Informers against Distillers, &c. is
made Felony, and Offenders to be transported.

The King shall have all the Goods of Felons
and Fugitives, and the Year, Day and Waste of
Lands, &c.

See more of Felony, Clergy, Burglary, &c.

Fines and Recoveries.

Stat. de Fi-
nibus, 18 E. 1.

A Final Concord cannot be levied in the
King's Court, without Original Writ be-
fore four Justices in the Bench or Eyre, and to
be in the Presence of the Parties, who are to be
of full Age, good Memory, &c. And if a Feme
Covert be one, she is to be privately examined
if she consents freely, and if she does not, the
Fine cannot be levied. Fine bars all Persons of
full Age, out of Prison, in the four Seats, &c.

27 E. 1.

No good Exception to a Fine levied, that the
Demandant was seised of the Land, &c.

Demandants and Tenants to appear before the 15 E. 2. Justices, that their Age, Defects, &c. may be discerned, &c. But if not able, Commissioners to take Cognizance.

Plea of Non-Claim of Fines, (In a Year and 34 E. 3. c. 16. Day at Common Law) to be no Bar hereafter.

The Chirographer to take but 4 s. Fee for a 2 H. 4. c. 8. Fine, on Pain to forfeit his Office, pay treble Damages, &c.

Writs of Covenant, *Dedimus's*, and all Notes 5 H. 4. c. 14. of Fines to be recorded in the Common Pleas.

A Fine after the Ingrossing to be openly read 1 R. 3. c. 7. and proclaimed in the Common Pleas, and a Transcript to be sent to Justices of Assise, and another to Justices of Peace of the County where the Land lieth, to be openly proclaimed there; which being certified, concludes all Persons; Persons under Age, in Prison, &c. excepted, if they lay not Claim by way of Action or Entry in five Years. Persons out of the Land, or non-sane, &c. have five Years after Imperfections removed.

Every Fine after the Ingrossing to be pro-4 H. 7. c. 24. claimed in Court the same Term, and the three next Terms, four several Days in each Term, and being so proclaimed, shall conclude all Persons, &c.

Fines levied by Persons of Lands intailed to 32 H. 8. c. 36. themselves or their Ancestors, &c. a good Bar against their Heirs claiming only by such Intail.

Feigned Recoveries by Assent of Parties, of 34 & 35 Lands, &c. the Reversion whereof is in the H. 8. c. 20. King, not to conclude the Heir in Tail; but after the Death of Tenant in Tail he may enter, &c.

Re-

- 14 *Eliz. c. 8.* Recoveries prosecuted by Tenants by the Curtesie, Tenants for Life, &c. to be void as against the Reversioners, &c.
- 23 *Eliz. c. 3.* Fines and Recoveries not to be reversed for false Latin, Interlineation, Razure, Mis-entering, &c. The Day and Year of the acknowledging a Fine, and Warrant of Attorney for the suffering a Recovery to be certified with the Concord. An Office to be erected for the Inrollment of Writs for Fines and Recoveries, under the Care of one of the Justices of the Common Pleas. Fees for Inrollment 6 *s.* 8 *d.* Exemplifications 5 *s.* Search for every Term 4 *d.* &c. Chirographer the first Day of every Term to fix in the Court of Common Pleas a Table containing the Fines pass'd in any one Term of each County, &c. on Pain of 5 *l.*
- 31 *Eliz. c. 2.* Fines to be proclaimed four Times only, once in the Term ingross'd, and once in each of the succeeding Terms.
- 31 *Car. 2. c. 3.* This Statute was made for new ingrossing and passing Fines, &c. recorded, and burnt by the Fire which happened in the *Temple*.
- 4 & 5 *Ann. c. 16.* Declarations of Uses or Trusts by Deeds made after Fines and Recoveries past, to be good in Law. And no Claim or Entry to avoid any Fine with Proclamations, unless an Action be commenced in one Year after such Entry, and prosecuted with Effect. No Fine or Recovery reverfable for Error, unless the Writ of Error be prosecuted with Effect in twenty Years after the Fine levied, &c. See 10 & 11 *W. 3.* This Act was made for quieting Mens Titles under ancient Fines, &c.

To acknowledge a Fine, &c. in the Name of another, Felony. See Title *Felony*.

Fire,

Fire, fireworks, &c.

CChurchwardens within the Bills of Mortality 6 Ann. c. 31. to fix Fire-cocks, &c. at proper Distances in Streets, and keep a large Engine and Hand-Engine for extinguishing Fire, under the Penalty of 10*l*. Servants through Negligence causing any House to be burnt, to forfeit 100*l*. or be committed to the Workhouse for eighteen Months. Workmen to erect Party-Walls between Buildings, and make no Cornice of Wood, &c. under the Penalty of 50*l*.

This Act enables Churchwardens, Overseers 7 Ann. c. 17. of the Poor, and Inhabitants in a Vestry, to rate and assess competent Sums for defraying the Charge of providing and maintaining Engines, &c.

Persons making or selling Squibs or other Fire- 9 & 10 W. 3. works forfeit 5*l*. And Persons throwing or firing, or permitting to be thrown any Squibs, &c. from their Houses, &c. forfeit 20*s*.

Town of *Blandford* burnt down by Fire, to be rebuilt, &c. See 5 Geo. 2. c. 14.

First-fruits and Tenths.

THE First-Fruits and Profits for one Year of 26 H. 8. c. 3. every Spiritual Living by this Act are granted to the King. The Lord Chancellor, &c. or Commissioners, to examine into the Value. Clergymen entering on their Livings before

First-Fruits and Tenths.

fore the First-Fruits are paid or compounded, to forfeit double Value. A Rent out of every Spiritual Living amounting to a tenth Part of the yearly Value, to be paid the King annually.

2 & 3 E. 6. c. 20. The Penalty for Default in Payment of Tenths, Forfeiture of the Benefice out of which the same is due.

1 Eliz. c. 4. By this Act First-Fruits and Tenths to be within the Survey of the Court of Exchequer. Incumbent on a Benefice not living Half a Year, or ousted before the End of the Year, his Executors to pay only a fourth Part of the First-Fruits; and if he lives the Year and die, or be ousted in six Months after a Year, only Half the First-Fruits to be paid.

2 Ann. c. 11. The Queen by Letters Patent to incorporate Persons, and settle upon them the First-Fruits of all Benefices for the Maintenance of the poor Clergy. Benefices under 50 *l.* a Year discharged from First-Fruits.

3 Geo. 1. c. 10. Bishops who by 26 *H.* 8. were Collectors of Tenths, payable by Clergy out of Livings, and made accountable, are exempted from the Office; and one Collector to be constituted by his Majesty's Letters Patent, to receive the Revenue, &c.

The Tenths are settled on the Corporation of Governors of the Bounty of Queen Anne, for Benefit of poor Clergymen.

Fish and Fishing.

NONE to take Salmon between the eighth ^{13 E. 1.} of September and the eleventh of November.

This Statute enacts, that no Fisherman shall ^{13 R. 2.} use any Engine to destroy the Fry of Fish.

Justices of Peace to be Conservators of Rivers, ^{17 R. 2. c.} and punish Offenders by Imprisonment.

None shall fasten Nets, &c. across Rivers to ^{2 H. 6. c. 19.} destroy Fish, and disturb Passage of Vessels, on Pain of 5 *l.*

By this Act Persons are prohibited from fish- ^{31 H. 8. c. 2.} ing in any Pond or Moat, &c. without the Owner's License, on Pain of three Months Imprisonment. Breaking down Fish-pond Heads the same Penalty. 5 *Eliz.*

Persons using any Net or Engine to destroy the ^{1 Eliz. c. 17.} Fry of Fish, or taking Salmon or Trouts out of Season, or Salmon shorter than sixteen Inches, Trout eight, Pikes ten, Barbles twelve Inches, &c. to forfeit 20 *s.* Lords of Leets, &c. have Power to put these Acts in Force.

None shall erect a Wear along the Sea-shore, ^{3 Jac. 1. c. 12.} &c. or within five Miles of any Haven, &c. under the Penalty of 10 *l.*

Fish not to be taken with Drift-Nets, Trasm- ^{13 & 14 Car. 2. c. 28.} mels, &c. within a League and a Half of the Shore of *Cornwall* or *Devon*, on Pain of Forfeiture, and one Month's Imprisonment. Imbezill-ers of Pilchards to satisfy treble Value.

No Person shall take any Fish in any River ^{22 & 23 Car. 2. c. 29.} without Consent of the Owner, under the Pen-alty of 10 *s.* for the Use of the Poor, and

treble Damages to the Party grieved. Nets, Angles, &c. of Pochers to be seized.

30 Car. 2. c. 9. This Statute directs that Nets for Fishing in the *Severn* are to have the Mesh two Inches and a Half square from Knot to Knot, &c. under the Penalty of 5 *l.* Destroying the Spawn of Fish between the first of *March* and the last of *May*, forfeit 40 *s.*

10 & 11 W. 3. c. 24. Persons buying Fish in *Billingsgate* Market may sell the same in any other Market in *London* by Retail; but none shall buy any Quantity of Fish there for other Persons, or ingross the Market, under the Penalty of 20 *l.*

4 & 5 Ann. c. 21. This Act was made for the Increase and Preservation of Salmon, in Rivers in the Counties of *Southampton* and *Wilts.* Salmon not to be taken after the 30th of *June* till the 11th of *November.* Taking them under Size, &c. Penalty not under 20 *s.* nor above 5 *l.* &c.

1 Geo. 3. c. 16. No Fish to be imported, taken by Foreigners, except Stockfish, Anchovies, Sturgeon, &c. on Pain of 20 *l.* Nets for catching Sea-fish, unless for Herrings, to have Meshes three Inches and a Half from Knot to Knot, under the like Penalty, &c. Fish sold are to be Brett and Turbot sixteen Inches long, Brill fourteen, Codlin twelve, Whiting six, Plaice, &c. eight, Flounder seven, &c. on Pain of 40 *s.*

Stat. *ibid.* Salmon shall not be taken between the 1st of *August* and 12th of *November*; and Persons taking Salmon in the River *Severn*, *Dee*, *Wye*, &c. under eighteen Inches long; or Fishmongers buying them, not being six Pounds Weight, to forfeit 5 *l.*

For Recovery of the *British* Fishery, certain 5 Geo. 1.
Allowances to be made on Fish exported to other 18.
Countries by this Act.

Persons that import Fish, contrary to the 9 Geo. 2.
Statute 1 Geo. 1. for better preventing fresh Fish 32.
taken by Foreigners being imported into this
Kingdom, &c. to forfeit 100 l. and Masters of
Smacks, Boats, &c. in which they are brought
to Shore, 50 l. No Fisherman, &c. shall take
or kill any Lobsters, on the Coast of *Scotland*,
from 1st of *June* to 1st of *September* yearly, on
Penalty of 5 l. to be recovered before two Ju-
stices.

Fishery to Greenland. See *Greenland-
Company*.

Oyster-Fishery. Vide *Rochester*.

Forcible Entry.

NO Person to enter into Lands or Tene- 5 R. 2. c. 7.
ments by Force, on Pain of Imprisonment.

When Forcible Entry is made into Lands, &c. 15 R. 2. c. 2.
Justices of Peace to commit Offenders to Gaol,
&c.

On Complaint of Forcible Entry a Justice of 8 H. 6. c. 9.
Peace by Precept is to command the Sheriff to
summon a Jury to enquire of the Force, and to
cause the Tenements to be seised. Head Of-
ficers of Corporations have like Power. No
Force where a peaceable Possession had three
Years.

21 *Fac. 1.*
c. 15.

By this Act Justices of Peace have Power to give Restitution where Lands are detained by Force.

Forests, Chases, &c.

Charta de Foresta,

9 H. 3. c. 1.

Three Courts of Swainmote to be held for Forests in the Year; one fifteen Days before *Michaelmas*, another about *Martinusmas*, and the third fifteen Days before *Midsummer*. Peers may kill a Deer or two in a Forest through which they pass, when they are sent for by the King, &c. Three Claws of the Fore-feet of Dogs kept in the Forest to be cut off.

3 E. 1. c. 20.

Trespassers in Parks, Forests, &c. to pay treble Damages, and suffer three Years Imprisonment.

21 E. 1.

A Forester not to be questioned for killing a Trespasser who will not yield himself.

14 E. 1. c. 1.

Presentment of Trespasses of Green Hue and Hunting in Forests to be made at the next Swainmote by Foresters, &c. No Officer of the Forest to surcharge the Forest, on Pain of Imprisonment by the Justice of the Forest.

1 E. 3. c. 8.

None to be imprisoned for Vert or Venison, unless he be taken with the Manner, &c.

1 E. 3. c. 2.

Persons having Wood within the Forest, may take House-bote, &c. by the View of the Foresters.

7 R. 2. c. 4.

No Officer of a Forest to take or imprison any without due Indictment.

32 H. 8. c. 35.

Justices of Forests, &c. may make Deputies.

This

This Act was made for ascertaining the Bounds of Forests. 16 & 17 Car. 1. c. 16.

Foresters, Ingrossers, &c.

Foresters to be treated as Enemies to a whole Country, and be amerced and forfeit the Thing bought. To be set on the Pillory, fined and Imprisoned. 21 E. 2. c. 10. 27 E. 3. c. 5.

A Forester by this Act is declared to be one who buys Victuals, Merchandise, &c. in the Way, before it be brought to a Fair or Market. A Regrator is one that buys any Grain, Butter or Cheese, &c. in a Fair or Market, and sells the same again in the same Fair, &c. or within four Miles. And an Ingrosser is one that buys Corn growing, &c. by Contract, or Butter or Cheese with Intent to sell again. And the Offenders shall forfeit for the first Offence the Value of the Goods, and suffer two Months Imprisonment; for the second Offence double the Penalty, &c. Millers buying Barley, Badgers licensed, &c. are excepted out of this Act. 6 E. 6. c. 14.

Forfeited Estates.

THIS Act appointed Trustees or Commissioners for Sale of forfeited Estates in Ireland. The Trustees to appoint Registers, Clerks, Surveyors, &c. and to proceed summarily. 11 & 12 W. 3. c. 3.

marily, determine by Examinations on Oath, &c. Persons refusing to appear, &c. to be committed. Persons making a Discovery of Debts due to the attainted, to be discharged of a third Part. Discovering Goods, &c. to be allowed a fourth Part. Sale of Estates to be by Auction. Any Person or Society may purchase, and the Conveyances being inroll'd they shall be actually seised. Persons possessed of Lands, &c. vested in the Trustees, to render Accounts; and Occupiers committing Waste, to pay treble Damages. 1000 *l. per Annum* allowed Commissioners; &c. out of the first Monies arising by the Act.

1 Geo. 1. c. 50. Commissioners are appointed to enquire of forfeited Estates by this Statute; the Commissioners to meet in the *Exchequer* Chamber, and send for Persons and Papers, and proceed in a Summary Way, &c. And also to make Inquiry of Estates of *Popish Recusants*, and Lands given to *Superstitious Uses*, &c. Claims to be made of forfeited Estates in a limited Time; and Losses at *Preston* to such as continued loyal, shall be made good out of Monies raised by Sale of the Estates, &c.

4 Geo. 1. c. 8. An Act for vesting forfeited Estates in *Great Britain* or *Ireland* in Trustees, to be sold for the Use of the Publick. Commissioners to summon Claimants, &c. are a Court of Record. Five Judges to be a Court of Delegates. Purchasers of Estates to be Protestants. His Majesty may make Provision for Wives of forfeiting Persons, &c.

These two last Acts were made on the late Rebellion. See 5 Geo. 2. c. 23.

Forgery.

Forgery.

A Forger or Publisher of false Deeds, to pay 1 *El. c. 3.*
Damages, Fine and Ransom.

Persons falsly forging any Deed or Writing, to 5 *Eliz. c. 14.*
the Intent the Inheritance of Land may be de-
feated or charged, or the Title troubled, &c.
or giving such in Evidence knowingly, to pay
double Costs and Damages, to be set on the Pil-
lory, lose both their Ears, and have their Nostrils
slit ; forfeit the Issues of Lands, and be impriso-
ned for Life. Forging of a Lease for Years, &c.
Obligation, Bill, Release, &c. to pay double
Costs, stand in the Pillory, and suffer Imprison-
ment for Year. The second Offence Felony.

If any Person forge any Exchequer Bill, or In- 5 *Ann. c. 13.*
dorsement thereon, or knowingly tender the
same in Payment, he shall suffer as a Felon.

The forging of any Deed, Will, or Bond, Bill 2 *Geo. 2. c. 25.*
of Exchange, Note, &c. or publishing as true,
knowing them to be false, is Felony excluded
Clergy : But not to make Corruption of Blood.

Forging, Counterfeiting, or Uttering the Ac- 7 *Geo. 2. c. 22.*
ceptance of any Bill of Exchange ; or Sum of ac-
countable Receipts, for any Note, Bill, or Order
for Money, &c. with Intent to defraud Persons,
made Felony, without Benefit of Clergy.

Fran-

Franchises.

Mag. Chart.
37. 9 H. 3. **T**HE City of *London*, and all other Cities, Towns, &c. to have their ancient Liberties, Franchises, &c.

Stat. de Quo Warranto,
30 E. 1. This Statute orders a Writ to issue out to the Sheriff, to permit all Men to enjoy their ancient Liberties; and on a Proclamation made to shew their Tenures to Justices of Assise, or forfeit their Franchise.

27 H. 8. c. 24. All Writs, Indictments, Processes, &c. in Franchises to be made in the King's Name; Stewards, Bailiffs, and other Ministers of Liberties to attend the Justices of Assise, &c. and make due Execution of Processes, &c. and they may execute their Offices above a Year.

32 H. 8. c. 20. By this Statute the Franchises of religious Houses were granted to the King, and in the Survey of the Court of Augmentations; and the Stewards, Bailiffs, &c. to account there.

3 Car. 1. c. 1. No Freeman to be detained in a Franchise without Cause shewn.

13 Car. 2.
c. 1. Persons bearing Office in Corporations to take the Oath of Allegiance and Supremacy, and subscribe a Declaration that it is not lawful to take up Arms against the King, &c. And that there lies no Obligation from the Oath called the solemn League and Covenant, &c.

Frauds

frauds and fraudulent Conveyances.

Fraudulent Assurances of Lands or Goods to 50 E. 3. c. 6.
deceive Creditors to be void; and the Creditors to have Execution, &c.

Every Gift or Feoffment of Lands made by 1 R. 2. c. 6. 9.
Fraud, to be void; and the Disseisor to recover.

All fraudulent Conveyances of Lands, &c. and 13 El. c. 5.
Bonds, &c. made to set aside Debts, to be void
against the Party endeavouring to avoid them,
&c. And Parties and Privies to forfeit one
Year's Value of Lands, and the whole Value of
Goods; and so much Money as shall be mentioned in such Bond, &c.

Conveyances, &c. made to defraud a Pur- 27 Eliz. c. 4.
chaser, against such Purchaser only to be void;
and Parties justifying the Conveyance to be made
bona fide, to forfeit one Year's Value of the
Lands, and be imprisoned Half a Year. Where
Lands are conveyed with Clause of Revocation,
&c. and afterwards sold for a valuable Consideration, the first Conveyance to be void against the Vendee. But Mortgages made *bona fide*, not impeach'd. Statutes Merchant to be entred in six Months, and but 2 d. a Term for Search.

Leases and uncertain Interests in Lands, &c. 29 Car. 2.
not put in Writing and signed, have no greater c. 3.
Effect than Estates at Will, &c. Contracts and
Agreements not to be performed in a Year, &c.
to be put in Writing; Devises of Lands, &c. to
be in Writing signed in the Presence of three
Witnesses; Creation of Trusts, &c. to be in
Writing. Contracts for the Sale of Goods of

Freehold.

10 *l.* Value, to be made in Writing, or Earnest given, &c. or they are not good.

3 & 4 *W. & M. c. 14.* Devises of Lands, Rents, &c. deemed fraudulent against Creditors only, upon Specialties. See **Creditors**.

4 & 5 *W. & M. c. 16.* Persons borrowing Money, and entering a Judgment or Statute for Security, who afterwards borrow more Money, and mortgage Lands to the second Lenders; or who having once mortgaged Lands, mortgage it a second Time without discovering the first Mortgage, or in the first Case without giving Notice of the Judgment, the Mortgagor to lose his Equity of Redemption; and the second Mortgagee, &c. may redeem.

10 *Ann. c. 22.* Persons making fraudulent Conveyances to multiply Votes at Elections of Knights of the Shire, to be taken against the Persons making them as free and absolute, &c.

See more Title **Parliament**.

Freehold.

51 *H. 3. c. 22.* **B**Y Statute, Freeholders shall not be distrain'd to answer, without the King's Writ.

15 *R. 2. c. 12.* No Persons are compellable to make Answer for their Freehold, &c. before the Court of any Lord of a Manor,

16 *R. 2. c. 2.* And Lords of Manors acting otherwise, to forfeit 20 *l.*

Game.

Game.

NONE to take Pheasants or Partridges with 11 *H. 7. c. 17.*
Engines in another Man's Ground, with-
out License, on Pain of 10 *l.* Killing or taking
away Hawks, the same Forfeiture.

By this Act tracing Hares in the Snow incurs a 15 *H. 8. c. 10.*
Penalty of 6 *s.* 8 *d.*

None to take or kill Pheasants or Partridges 23 *Eliz. c. 10.*
with any Net in the Night, under the Penalty
of 20 *s.* for every Pheasant, and 10 *s.* a Par-
tridge. Hunting with Spaniels in standing Corn
to forfeit 40 *s.*

Persons killing any Pheasant, Partridge, Pi- 1 *Jac. 1. c. 17.*
geon, Duck, Heron, Hare, or other Game, to
forfeit 20 *s.* for every Fowl, Hare, &c. And sel-
ling or buying to sell again, Deer, Hare, Phea-
sant, &c. to forfeit 40 *s.* a Deer, and 10 *s.* a
Hare, &c.

Persons destroying Pheasant or Partridge be- 7 *Jac. 1. c. 11.*
tween the first of *July* and the last of *August*,
to be imprisoned a Month, unless they pay 20 *s.*
for every Pheasant, &c. taken. Constables with a
Justice's Warrant to search for Dogs, Nets, &c.

Lords of Manors may authorize Game-keepers 22 & 23
to seise Guns, Dogs, &c. of unqualified Per- *Car. 1. c. 25.*
sons. Persons qualified to keep Guns, &c. are
such as have a free Warren, Lords of Manors, or
who have 100 *l. per Annum* of Inheritance, or
for Life, or Lease for Ninety-nine Years of 150 *l.*
per Annum.

Constables, &c. by a Justice of Peace's Warrant 4 & 5 *W. &*
to search Houses and suspected Persons for Game, *M. c. 23.*
and if any be found, and the Party do not give a
good

good Account how he came by the same, he shall forfeit for every Hare, Pheasant, Partridge, &c. not under 5 s. nor above 20 s. Inferior Tradesmen hunting, &c. liable to Penalties of the Act, and may be sued for Trespass. Soldiers killing Game without Leave, to forfeit 5 l. an Officer, and 10 s. a Soldier.

5 Ann. c. 14. Higlers, Chapmen, Carriers, Innkeepers, Victuallers, &c. having in their Custody any Hare, Pheasant, Partridge, Heath-Game, &c. to forfeit for every Hare, &c. 5 l. unless sent by some Person qualified. Selling and offering to Sale, the same Penalties. Persons not qualified keeping Dogs, &c. to forfeit 5 l. or be sent to the House of Correction for three Months.

9 Ann. c. 25. This Statute makes 5 Ann. perpetual. And no Lord of a Manor to appoint more than one Game-keeper in one Manor, who is to be entered with the Clerk of the Peace. Game-keepers not entered, or not qualified, killing Game, liable to the Penalties 5 Ann. Hare, &c. found in a Shop, &c. adjudged an Exposing to Sale. Killing Hare, &c. in the Night, the same Penalties. Driving wild Fowl with Nets, &c. between the first of July and first of September, to forfeit 5 s. for every Fowl.

3 Geo. I. c. 11. Game-keepers are to be either Persons qualified to kill Game, or to be Servants to Lords of Manors, and not Tenants, &c. under the Penalties 5 Ann.

8 Geo. I. c. 19. The Penalties for destroying Game recoverable by Action of Debt, &c. as well as Information before Justices of Peace.

Gaming.

Unlawful Games prohibited, and Offenders 12 R. 2. c. 6. to be imprisoned.

Justices of Peace, and Head Officers in Corporations, to enter Houses suspected of unlawful Games, and arrest and imprison the Gamesters till they give Security. Persons keeping unlawful Gaming-Houses forfeit 40 s. Gamesters 6 s. 8 d.

Persons winning Money at Gaming by Fraud, 16 Car. 2. c. 7. to forfeit treble Value; and Persons betting (other than for ready Money) and losing any Sum exceeding 100 l. not compellable to make good the same, and the Person winning to forfeit treble Value.

Securities for Monies won at Play to be void; 9 Ann. c. 14. and if any Person shall lose by Gaming at one Time 10 l. he may recover the same from the Winner by Action of Debt. If the Loser do not prosecute, others may, and recover treble Value with Costs. Persons winning at any one Time 10 l. by Fraud, to forfeit five times the Value. Persons having no visible Estates, not making it appear that the principal Part of their Maintenance is got by other Means than Gaming, to be bound to the good Behaviour.

Persons that use unlawful Games, contrary to 2 Geo. 2. c. the 33 H. 8. a Justice of Peace to commit them, 28. 'till they find Sureties not to play at any Time thenceforth.

Gaols.

- 19 *H. 7.* **S**heriffs shall have the Keeping of all common Gaols, unless held by Inheritance, &c.
- 11 & 12 *W. 3.* Justices of Peace to order the Building and Repairing of Gaols, and make Assessments for the same where necessary.
- 6 *Geo. 1. c. 19.* Justices may commit Criminals charged with small Offences, either to the common Gaol, or House of Correction.
- 2 *Geo. 2. c. 22.* No Fees to be taken by Gaolers, but such as are allowed by Law, and settled by the Judges, &c.

Vide Prison.

Gauging and Garbling.

- 27 *E. 3. c. 8.* **A**LL Wine imported, to be gauged by the King's Gaugers; and Persons resisting them forfeit Wines. Selling Wine before gauged, incurs Forfeiture, or the Value. The Gauge Penny to be paid Gaugers.
- 31 *E. 3. c. 5.*
- 23 *H. 6. c. 16.*
- 31 *Eliz. c. 8.* Beer, &c. put in Vessels imported, shall be gauged by the Master and Wardens of the Coopers Company.
- 1 *Jac. 1. c. 19.* All Spices and Drugs, to be cleansed and garbled before sold, on Pain of Forfeiture, &c. This is repealed by 6 *Ann. c. 16.*

Gold and Silver, Goldsmiths, &c.

GOLD and Silver Manufactures to be made 28 E. 1. c. 20.
of a good and true Allay, Silver of the Sterling Allay; to be assayed by the Warden of the Company, and mark'd, and Gold to be of a certain Touch.

Merchants Denizens and Strangers may import 27 E. 3. c. 14.
Plate of Silver and Gold, &c. to the King's Exchange, taking Gold and Silver equal to the Value.

Goldsmiths to have their own Marks on Plate; 37 E. 3. c. 7.
but the Marks not to be set till the Surveyors have made their Assay; false Metal to be forfeited to the King.

Sheaths, or any Metals but Silver, not to be 8 H. 5. c. 3.
gilded, and Church Ornaments may be gilded,
&c.

Work of Silver to be as fine as Sterling, except 2 H. 6. c. 14.
what Solder is necessary. Marking Work not
as fine as Sterling, to forfeit double Value.

Finers of Gold and Silver not to allay it, or 4 H. 7. c. 2.
sell it, save only to the Officers of the Mint,
Goldsmiths, &c. nor sell any Silver in Mass molten and allayed, on Pain of Forfeiture. Twelve-Penny-weight of Allay to be in a Pound weight of Silver.

Goldsmiths not to take above 1 s. the Ounce 18 Eliz. c. 15.
of Gold besides the Fashion, more than the Buyer may be allowed for it at the Queen's Exchange. Goldsmiths Ware sold or exchanged, to have eleven Ounces and two Penny-weight of Silver, &c. the Pound, on Pain of Forfeiture. Wardens marking faulty Metal, the Company to forfeit the Value.

Gold and Silver, Goldsmiths, &c.

- 18 *Car. 2. c.* Persons bringing Gold or Silver to the Mint, to receive the same Weight in Coin, or so much more or less as the same shall be finer or coarser than the Standard Silver and Crown Gold.
- 1 *W. & M.* All Silver and Gold extracted by melting and refining Metals to be employed for the Increase of Monies, and sent to the Mint, where the Value shall be paid.
- 6 & 7 *W. 3.* Goldsmiths, &c. not to transport any molten Silver before it be mark'd at *Goldsmiths Hall*, and a Certificate made on Oath; and Officers of the Customs may seize Silver ship'd otherwise. Bullion to be transported, not entered in the Name of the true Owner, to be forfeited.
- 9 & 10 *W. 3.* Silver Wire drawn for making Gold and Silver Thread, to hold 11 Ounces and 16 Penny-weight of Silver to the Pound Troy, and Silver gilt to have four Penny-weight of fine Gold laid upon each Pound-weight, under the Penalty of 5 *s. per Ounce*. No gilt Wire to be coloured with Verdigrease. Six Ounces of Gold and Silver to cover four Ounces of Silk, &c.
- 12 *W. 3. c. 4.* By this Act the Cities of *York, Exeter, Bristol, Chester* and *Norwich*, are appointed for assaying and marking wrought Plate. Two Goldsmiths, Freemen of those Cities, to be annually chosen as Wardens. Manufactures of Silver to be of the Fineness of the Standard, and not put to Sale till mark'd with the two first Letters of the Worker's Name, &c. on Pain of Forfeiture. An Assayer to be elected in each City. Plate touch'd or mark'd for good by the Assayer, and not so, he shall forfeit double Value. Counterfeiting Stamps of Assayers, &c. forfeit 500 *l.* Every Goldsmith, Plate-worker, &c. to enter his Name, Mark, &c. with the Wardens; not doing it, or altering his

his Mark, to forfeit treble the Value of the Plate.

The Town of *Newcastle* is appointed for assaying and marking wrought Plate with like Authority, &c. as the Cities of *Tork*, &c. 1 Ann. c. 9.

A Duty of 6 *d.* an Ounce granted upon Silver Plate; and Goldsmiths to make Entries, with the Weight, &c. on Pain of 100 *l.* Concealing Plate to forfeit it, and 20 *l.* Goldsmiths, &c. shall work Silver Plate according to the old Standard, which is to be touch'd, assay'd and mark'd, before exposed to Sale. 6 Geo. 1. c. 11.

Grants.

AN Exemplification of the Inrolment of Grants by Letters Patent to be of as good Force in Pleading for the Patentees, and Persons having Estates from them, &c. against the Queen, &c. as if the Patents were produced. 13 Eliz. c. 6.

Corporations, Lords of Manors, &c. having Grants from the Crown for Felons Goods, Deeds, &c. not compellable to inrol their whole Grants, but such Part of them as expresses the Felons Goods, &c. and no more. 4 & 5 W. & M. c. 22.

Bodies Politick and Corporate, and all Persons having made Default in Inrollment of any Grants, &c. made by her Majesty or her Predecessors, may yet inrol them in a Time limited, and the Estates continue, &c. Copies of the Inrolment of Bargains and Sales examined and sign'd by the

Greenland Company.

proper Officer, and proved; to be of the same Force with the Indenture of Bargain and Sale, &c.

See more of Grants under **Leases.**

Greenland Company.

4 & 5 W. &
M. c. 17.

A Joint Stock of 40,000 *l.* to be raised by Subscription by Sir *William Scawen* and several others, who are to be incorporated. The Company to use the Trade and Merchandize of catching Whales, &c. into and from *Greenland* and the *Greenland* Seas. A Governor, Deputy Governor, and sixteen Committees to be elected. A Court of the Subscribers to be called, when they are to choose one Person having subscribed 1000 *l.* to be Governor, &c. Governors, &c. to take an Oath to promote the Interest of the Company, &c. No Person subscribing less than 500 *l.* to have a Vote. A General Court to be annually called to elect Governors, &c. Persons having subscribed 500 *l.* may assemble at a general Court, and make By-laws, &c. for Government, and of Persons employed in their Ships, &c. No private Sales to be made; Goods to be sold publicly by Inch of Candle once a Year at least, and no Lot to exceed 300 *l.* Monies arising by Sale to be applied to the Advantage of the Stock; Dividends of Profits to be made in Money only.

1 Ann. c. 16. By this Act any Persons who will adventure to *Greenland* for Whale-fishing, to have all Privileges granted to the *Greenland* Company.

And

Guardians.

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And by these Statutes Persons may import ^{10 Geo. 1.} Whale-Fins, Oil, &c. caught in the *Greenland* ^{5 Geo. 2. c.} Seas, without paying any Custom or Duty; but ^{28.} Masters of Ships, and one Third of Mariners must be *English*, &c.

Ships employed in the Fishing to *Greenland*, ^{6 Geo. 2. c.} &c. of 200 Tons, to be strong built, have on ^{33.} Board four Boats, twenty-eight Men, forty fishing Lines of 120 Fathom each, forty Harpon Irons, and six Months Provision, &c. And on Oath thereof, the Commissioners of the Customs to license them to proceed, &c. And on Return, Masters shall be paid 20 s. per Ton Bounty for Whale Fins, and Oil, &c. imported.

Guardians.

Guardians to retain the Lands 'till the Heir ^{9 H. 3. c. 3.} is of Age, and restore it as fully stock'd, &c. as received. And they shall sustain the ^{9 E. 1. c. 21.} Land, without Destruction of any Thing.

A Maid or Woman Child, under 16 Years ^{4 & 5 P. & M.} old, not to be taken out of the Custody, and against the Will of the Father or Mother, &c. on Pain of two Years Imprisonment, or to be fined.

By this Act Power is given to Parents to dis- ^{12 Car. 2.} pose of their Children as they think fit, until ^{c. 24.} they come to the Age of twenty-one Years, which was formerly in the Court of Wards.

Account lies against the Executors and Ad- ^{4 & 5 Ann.} ministrators of Guardians, Receivers, &c. ^{c. 16.}

Persons who as Guardians or Trustees, &c. ^{6 Ann. c. 18.} hold over without the Consent of the Person next

intitled, adjudged Trespassers ; and are accountable for Profits, &c.

Gun-powder.

12 Car. 2. c. 4.
1 Jac. 2. **G**Un-powder may be prohibited to be transported ; and to be imported by the King's Licence, &c.

5 Geo. 1. c.
26. No Person to keep above 600 Weight of Gun-powder, in *London* and *Westminster*, on Pain of 20 s. for every Hundred Pounds ; and Gun-powder to be carried in covered Carriages.

11 Geo. 1. c.
23. The Quantity of Gun-powder kept, not to exceed 200 Pounds Weight ; and Persons having more shall forfeit the same : Justices of Peace may issue Warrants to search for, seize and remove Gun-powder, &c. Obstructing which incurs a Penalty of 5 l.

If any Person use Iron or Steel Hammers where Gun-powder is, shall forfeit 20 s.

See **Ships.**

Habeas Corpus.

1 & 2 P. & M. c. 13. **H**Abeas Corpus or *Certiorari* for removing of a Prisoner to be signed by the Chief Justice, or one of the Justices of the Court out of which the Writ issues, under the Penalty of 5 l.

Persons

Persons detained in Prison for any Thing except Felony or Treason express'd in the Commitment, may by *Habeas Corpus* in Vacation-time be brought before the Lord Chancellor, or any Judge, and be discharged upon their entring into a Recognizance, with one or more Sureties for Appearance in *B. R.* the next Term, or at the next Assises for the Place where the Commitment was; unless the Party be secured for Offences not bailable, &c. The Judges denying a *Habeas Corpus*, to forfeit 500 *l.* and the Officer refusing to obey it, 100 *l.* for the first Offence, and 200 *l.* for the second. The Prisoner to pay 1 *s.* per Mile for Charges of Removal. No Subject to be sent Prisoner out of the Realm.

The *Habeas Corpus* Act was suspended during 1 Geo. 1. c. 8. the Time of the late Rebellion, &c. as it was c. 39. likewise in the Reign of King *William*. And all Actions and Suits, by reason of any Thing done to suppress the Rebellion, to be void.

Haberdaßers. See Apprentices.

Habeas, Harbours and Navigable Rivers.

THE Mayor of *London* to have the Conservation in Breaches and Ground overflown as far as the Water ebbs and flows in the River *Thames*. 4 H. 7. c. 15.

Persons annoying the River *Thames*, making Shelves there, casting Dung, &c. therein, or

taking away Stakes, Boards, Timber-work, &c. of the Banks, to forfeit 5 *l*.

34 *H. 8. c. 9.* Casting or unlading Ballast, Rubbish, &c. out of any Ship or Vessel in any Haven, Road, &c. incurs a Penalty of 5 *l*.

27 *El. c. 20.* An Act enabling the Mayor and Commonalty of *Plymouth* to dig a Trench through Grounds to the River *Mew*.

27 *El. c. 21.* This Act relates to the Repairing, &c. of *Orford* Harbour in *Suffolk*.

27 *El. c. 22.* An Act for making a new Channel from the City of *Chichester*, &c.

13 & 14 *C. 2.* An Act for repairing *Dover* Harbour.

16 & 17 *Car. c. 12.* This Act was made for making the River *Avon* navigable from *Christchurch* to *Salisbury*.

22 *Car. 2. c. 2.* An Act for repairing the Havens and Rivers of Great *Yarmouth*.

1 *W. & M. c. 11.* This Act was likewise for the repairing, maintaining, preserving and clearing the Havens and Rivers of Great *Yarmouth*.

7 & 8 *W. 3. c. 14.* By this Act the Rivers *Wye* and *Lugg* are declared free and common Rivers and Streams for the carrying of Passengers Goods, &c. with Power to Trustees to make it navigable, &c.

8 & 9 *W. 3. c. 29.* This Act imposes a Duty on Coals, &c. for repairing the Peers of *Bridlington* in *Yorkshire*.

9 & 10 *W. 3. c. 12.* By this Act likewise Duties are granted for enlarging, repairing and preserving the Bridge and Key of *Bridgewater* in *Somersetshire*.

9 & 10 *W. 3. c. 19.* This Act was for making navigable and cleansing the Channel from *Hithe* at *Colchester* to *Wivenhoe*.

10 & 11 *W. 3. c. 8.* This Act was for making the River *Tone* navigable from *Bridgewater* to the Town of *Taunton*.

Trustees

Trustees and Commissioners are appointed by 10 & 11 this Act to make the River *Aire* navigable to *W. 3. c. 19. Leeds &c. in Yorkshire.*

This Act is for making the River *Trent* na- 10 & 11 vigable from *Wilden Ferry* to *Burton upon Trent.* *W. 3. c. 20.*

A Duty of so much *per Ton* on Shipping, &c. 11 & 12 is granted by this Act for the Repair of *Dover* *W. 3. c. 5. Harbour.*

By this Statute a Duty is granted on Goods im- 12 *W. 3. c. 9.* ported and exported, Shipping coming in and going out, &c. to Colonel *Lutterel*, for enlarging repairing and preserving the Key of *Minehead.*

This Act was made for the better preserving 11 & 12 the Navigation of the Rivers *Avon* and *Frome* in *W. 3. c. 23. Somersetshire.*

By this Act Impositions are granted to recover 11 & 12 and preserve the Navigation of the River *Dee,* *W. 3. c. 24.* from the Sea to *Chester.*

For repairing the Port of *Whitby* Duties are 1 *Ann. c. 19.* granted by this Act.

This Act is for making the River *Darwent* na- 1 *Ann. c. 20.* vigable.

Several Persons are authorized by this Statute 1 *Ann. Sess.* to make the River *Cham* in *Cambridgeshire* na- 2. c. 11. vigable.

By this Act the Mayor and Aldermen, &c. of 4 & 5 *Ann.* *Sudbury* in *Suffolk* are empower'd to make the Ri- 6. 15. ver *Stower* navigable.

An Act for enlarging the Pier and Harbour of 4 & 5 *Ann.* *Parson* in the County of *Cumberland.* c. 18.

The Mayor, Aldermen, &c. of *Liverpool* by 8 *Ann. c. 12.* this Act are empower'd to make a wet Dock or Bason in a Piece of Ground near the Pool; and Duties granted to effect it.

Act for reviving 8 & 9 *W. 3.* for repairing 1 *Geo. 1. c.* the Piers of *Bridlington* or *Burlington.* 49.

The

- 4 Geo. I. c. 13. The Act 11 & 12 W. 3. for the repairing of Dover Harbour, &c. continued.
- 6 Geo. I. c. 26, Acts for making the Rivers *Darwent*, *Dowglas*,
27, 28. *Ouse*, &c. navigable; granting Duties on Goods.
- 7 Geo. I. c. 8, To make the Rivers *Kennet* and *Weaver* na-
9, 14. vigable; and for preserving *Rye Harbour*, *Watchet Key*, &c.
- 8 Geo. I. c. 11, Acts for rebuilding the Haven and Piers of
13. *Bridport*; and making the River *Eden* navigable.
- 9 Geo. I. c. 30. Trustees appointed for restoring the Harbours of *Dover* and *Rye* to their ancient Goodness; also a Duty of 3 *d.* per Ton on Shipping granted.
- 11 Geo. I. Acts for Maintenance of the Piers and Har-
c. 3. 16. bours of *Margate* and *Parton* in the County of *Cumberland*.
- 12 Geo. I. An Act for making the River *Dun* in *Yorkshire*
c. 38. navigable; and Tonnage Duties granted the Undertakers.
- 13 Geo. I. Acts for cleansing and widening *Beverly Creek*
c. 49 6. running into the River *Hull* in *Yorkshire*; and for improving the Port and Haven of *Sunderland* in the County of *Durham*.
- 1 Geo. 2. c. 24. Persons breaking Locks, &c. on navigable Rivers, guilty of Felony, and to be transported.
- 3 Geo. 2. c. 13. Act for making the River *Stroudwater* in *Gloucestershire* navigable from the *Severn*, &c.
- 4 Geo. 2. c. 17. An Act for repairing the Pier and Harbour of *Newhaven* in the County of *Suffex*.
- 4 Geo. 2. c. 19. To repair the Harbour of *Ilfordcombe* in the County of *Devon*.
- 5 Geo. 2. Acts for improving the Navigation of the
c. 12, 15. River *Ouse*; and to enlarge the Pier and Harbour of *Scarborough*, granting Tolls and Duties, and

and Entries of Goods in Vessels to be made with Collectors, &c.

For erecting Piers in and repairing the Har- 6 Geo. 2.
bour of Little *Hampton*, called *Arundel Port* in c. 12, 30.
Sussex: And to recover and preserve the Na-
vigation of the River *Dee* in the County of
Chester; by which Powers are granted to Com-
missioners and Undertakers, and Tonnage Du-
ties on Goods, &c. Not paying these Duties,
incurs 20 l. Penalty.

Act for extending the Navigation of the River 7 Geo. 2.
Weaver from *Winsford Bridge* to *Namptwich* in c. 28.
Cheshire; and the said River shall for ever be
deemed navigable for all the King's People to
pass with Vessels, &c.

To lengthen the West Pier of *Whitby Har-* 8 Geo. 2.
bour, in the County of *York*, and improve the c. 10.
said Harbour: Duties granted, &c. And Masters
of Ships and Vessels, to anchor in such Places as
shall be assigned, under a Penalty not under 40 s.
nor above 5 l.

If any Persons wilfully and maliciously pull 8 Geo. 2.
down or destroy any Lock, Sluice, or other c. 20.
Works on any navigable River, they shall be
guilty of Felony, without Benefit of Clergy:
And drawing up Flood-gates in any Wears or
Locks, made to preserve Navigation, to be
sent to the House of Correction for a Month.

Acts for the further repairing *Dover* and *Rye* 11 Geo. 2.
Harbours, and continuing Rates for keeping in c. 7, 8.
Repair the Harbour of *Minehead*; but if not
repaired, so that it becomes useless, the Duties
to cease.

Havering and Dagenham. See Coals

Hawkers

Hawkers and Pedlars.

8 & 9 W. 3. **H**awkers, Pedlars, &c. going from Town
c. 25. to Town, if on Foot, to pay 4 *l.* and if
with Horse, Ass or Mule, 8 *l.* Duty to the
King. To be licensed, or forfeit 12 *l.* Refusing
to shew Licenses, to forfeit 5 *l.* and travelling
with forged Licenses, 50 *l.* Any Person may
seize a Hawker till he produce a License.

3 & 4 Ann. Hawkers to produce Licenses on Demand, or
c. 4. incur Penalties of travelling without License.
And lending the License to Hire, the Trader to
forfeit 40 *l.* and the Lender the License. Tra-
ders in the Linen and Woollen Manufacture send-
ing their Goods to Markets and Fairs, and sel-
ling them by Wholesale, not to be taken as
Hawkers; nor Makers of Goods selling those
of their own Making. Coopers, Glaziers, Tin-
kers, &c. going about and carrying Materials to
mend Vessels, &c. the same.

4 Geo. 1. c. 6. No Person who is a Maker of, or Trader in
English Bonelace, selling the same, to be adjudg-
ed a Hawker.

Hay-market.

2 W. & M. **C**Arts, &c. not to stand loaden with Hay,
c. 8. &c. after two a Clock in the Afternoon,
from *Michaelmas* to *Lady-day*, or after three in
the Summer, on Pain of 5 *s.*

And

And Trusses of old Hay offer'd to Sale, to weigh fifty-six Pounds, and new Hay sixty Pounds, on Forfeiture of 18 *d.* the Truss.

Every Cart-load of Hay which shall stand to 8 & 9 *W.* 3 be sold in the *Hay-market*, to pay 3 *d.* and every 17. Cart-load of Straw 1 *d.* towards the Paving and Amending the Streets. Upon Refusal of Payment, the Offenders Goods to be distrained by Warrant from a Justice of Peace.

Hedge-breakers. See **Wood.**

Heirs and Infants. See **Age and Assets.**

Highways.

Constables and Churchwardens, &c. of every 2 & 3 *P.* & Parish, and Inhabitants, yearly upon *Tues.* *M.* 6, 8. day or *Wednesday* in *Easter Week*, to make Choice of Surveyors of the Highways; who are to take upon them the Office under the Penalty of 20 *s.* Four Days before *Midsummer*, to be appointed for repairing the Ways. Persons having Teams, or Plough-Lands, to send out Teams, under the Penalty of 10 *s.* per Day; and Cottagers to work, on Pain of 1 *s.* per Day. Stewards in Leets have Power to enquire after the Breach of this Act, and set Fines, &c.

Surveyors may turn a Water-course; dig for 5 *Eliz.* c. 13. Gravel in any Ground contiguous to the Highways, not being a Garden, Meadow, &c. filling up the Pit. Hedges and Ditches to be kept low and scowered; six Days appointed for the Statute

Statute Work; and Surveyors to present Defaults within one Month, on Pain of 40 s. &c.

18 *Eliz. c. 10.* Persons having a Plough-land in several Parishes, chargeable with a Team only where they reside. Not scouring Ditches Penalty 12 d. per Rod. The scouring of Ditches cast in the Highway, incurs a Penalty of 12 d. per Load, being left there six Months.

13 & 14. *Car. 2. c. 2.* This Act was made for repairing of the Highways, and paving the Streets in and about London and Westminster, but is expired.

22 *Car. 2. c. 12.* Surveyors of the Highways, &c. neglecting to put the Acts in Execution, to be fined 40 s. Persons resisting any employed, liable to the same Penalty. Surveyors to be chosen in Christmas Week, who are to appoint six Days for providing Materials, make Return of Defaulters in a Month, &c.

3 & 4 *W. & M. c. 12.* On the 26th of December yearly, Constables, Churchwardens, &c. and Inhabitants of every Parish to assemble and make a List of the Names of Persons having 10 l. per Annum, personal Estate of 100 l. or Renters of 30 l. per Annum, and for want of such, of the most sufficient Persons, to be Surveyors of the Highways, and return the same to the Justices of Peace at a special Sessions in fifteen Days, who are to nominate the Surveyor; the Surveyor not taking on him the Office to forfeit 5 l. Every four Months to view the Roads, and present on Oath. If Defaults not amended, Surveyor to repair, and be repaid. Laying in a Highway not twenty Foot broad, any thing to obstruct it, or permitting Shrubs, &c. to grow, incurs a Forfeiture of 5 s. On Oath made by Surveyors of Sums expended, Justices may make a Rate not exceeding

ing 6*d.* in the Pound. Surveyors neglecting their Duty to forfeit 40*s.* Justices of Peace 5*l.*

Justices of Peace at their Quarter-Sessions may 8 & 9 W. 3. order the enlarging Highways, not exceeding 16. eight Yards in Breadth, so as no House, Garden, &c. be pull'd down or taken away and making Satisfaction to the Owner of the Ground; for which they may order Assessments, &c. Posts with Inscriptions to be erected at Cross-ways as a Direction to Travellers, under the Penalty of 10*s.* Persons pulling up or removing Posts, &c. Securities for Horseways, &c. to forfeit 20*s.*

Persons neglecting to scour Ditches near the Highway to forfeit 2*s.* 6*d.* for every eight Yards not scoured. And permitting Soil to lie in the Highways eight Days after Notice, to forfeit not exceeding 5*l.* nor under 20*s.* Surveyors may make Drains in Lands adjoining to the Highways. Not giving an Account of the State of the Ways, to forfeit 5*l.* Justices to hold a special Sessions for the Highways once in four Months, &c. 1 Geo. 1. c. 52.

When Highways are foundeuous, and Hedges high, Surveyors to present them at the next Sessions, and Justices may order the Hedges to be new made, or cut lower, by the Owners; or on Default, thirty Days after Notice, the Surveyors to cause it to be done, and shall be repaid the Charge leviabie by Distress, &c. Not to extend to Timber Trees, growing in Hedges. 7 Geo. 2. c. 9.

If any Person maliciously break down a Turnpike in any Highway, he shall be sent to Gaol for three Months, and be publicly whipp'd; second Offence Transportation. Made Felony by this Act; and if Commissioners set up Gates where 1 Geo. 2. c. 24. 33.

Homage.

8 Geo. 2.
c. 20.

where they have no Power, Justices of Peace in Sessions to order Sheriffs to remove them. Persons guilty of Felony, in pulling down, plucking up, or otherwise destroying any Turnpike-Gate, Posts, Rails, Bars, &c. being out of Prison, discovering other Offenders, to have a Pardon: And the Inhabitants of the Hundred shall make Satisfaction for Damages; if the Offenders be not apprehended in twelve Months. If any Person assault any Collector of the Toll, or threaten him, or forcibly pass through any Turnpike, without paying Toll, he shall forfeit 5 *l.* leviable by Warrant of two Justices, &c.

Carriages not to be drawn with above five Horses in Highways. See **Carriers**.

Highwaymen. See **Robbery**.

Homage.

17 E. 2.

BY this Statute when a Freeman doth Homage he shall hold his Hands between the Hands of his Lord, and say thus; "I become your Man from this Time forth for Life, for Member, and for worldly Honour, and owe you Faith for the Lands I hold of you, &c." And Fealty is an Oath of Fidelity, &c. to observe Customs and do Services, &c.

Hops.

A Duty of 1 *d.* per Pound granted on Hops; 9 *Ann.* 2. 3. using Storehouses, without giving Notice to Officers to forfeit 50 *l.*

Planters of Hops shall enter Places where they 1 *Geo.* 1. c. 2. grow, on Pain of 40 *s.* an Acre; and Notice to be given of Bagging the Hops, under 50 *l.* Penalty.

Persons maliciously cutting Hop-binds growing 6 *Geo.* 2. on Poles, to be guilty of Felony without Benefit c. 37. of Clergy. And mixing any Ingredient with 7 *Geo.* 2. Hops, to alter the Colour or Scent, shall for- c. 19. feit 5 *l.* for every hundred Weight; being convicted before a Justice, &c.

Foreign Hops imported, landed before the *Stat. Ibid.* Custom-Duty paid, &c. to be forfeited and the Vessel, and also 5 *s.* for every Pound.

Horns.

HOrns growing in *London*, not to be disposed of to Strangers, &c. See 4 *E.* 4. But this Statute I think is repealed.

Q

boxes,

Horses, &c.

- 20 R. 2. c. 5. **N**ONE shall take any Person's Horse or Beast for the Service of the King, without the Owner's Consent, or Pain of Imprisonment.
- 11 H. 7. c. 13. Horses not to be conveyed out of the Realm, on Pain of Forfeiture.
- 27 H. 8. c. 6. By this Statute Persons having Inheritance or Freehold in a Park, &c. and a Mile about, to keep two Mares apt to bear Foal, thirteen Hands high, under the Penalty of 40 s. a Month; and they are not to suffer them to be leap'd by stoned Horses under fourteen Hands.
- 32 H. 8. c. 13. Stoned Horses put into Commons, &c. being above two Years old, to be fifteen Hands high; and those of lesser Stature may be seized by any Person for his own Use. Refusing to be present at the Measuring incurs a Penalty of 40 s. Commons to be driven yearly at *Michaelmas*, or within fifteen Days after, on Pain of 40 s. Putting infected Horses into Commons, to forfeit 10 s.
- 8 Eliz. c. 8. But stoned Horses of thirteen Hands high may be put in the Commons and Fen-Grounds in *Cambridshire*, *Huntingdonshire*, *Lincolnshire*, &c.
- 22 Car. 2. c. 13. Horses may be transported, paying 5 s. at the Custom-house.

Horses sold, stolen, &c. See *Fairs and Markets*.

Hospi-

Hospitals.

THE Ordinary to have Power to enquire of ^{2 E. 5. c. 1.} and reform the Government of Hospitals of the King's Patronage, &c.

Any Person may by Deed insollod in Chan- ^{39 Eliz. c. 3.} cery erect and found an Hospital, &c. to continue for ever, and place such Heads, &c. as he thinks fit; and such Hospital shall be incorporated, and visited by such as the Founder shall nominate. Leases for above twenty-one Years to have the accustomed yearly Rent reserved.

By this Act Commissions might be awarded to ^{39 Eliz. c. 6.} certain Persons to enquire of Lands or Goods given to Hospitals or other charitable Uses, and misemployed, &c.

And by this Statute the Lord Chancellor had ^{43 Eliz. c. 4.} Power to issue out a Commission into any Part of the Realm to the Bishop there and other Persons, authorizing them to enquire by a Jury of all Grants, &c. and Abuses of Lands, &c. given to charitable Uses, &c. but this not to extend to Hospitals, &c. over which special Governors are appointed by the Founders, &c.

By these Acts all Seamen are to pay ^{6 d. per 1 & 8 W. 3.} Month towards the Support of Greenwich Hospi- ^{c. 21.} tal; and registred Seamen, Watermen, &c. who ^{19 Ann. c. 7.} by Age, Wounds, &c. are disabled for Service, to be admitted into the said Hospital, and there provided for: Likewise Widows of such Seamen, &c. slain or drowned; and their Children educated, &c.

Houses of Correction.

- 2 Geo. 2. c. 7. The 6 d. a Month paid by Seamen, shall extend to Ships belonging to *Great Britain* and *Ireland*, and the Islands in *America*, &c. and Collectors to be appointed, who may examine all Masters of Vessels; and they to pay the Duty before Ships are cleared, under the Penakty of 20 l.
-

Houses of Correction.

- 39 Eliz. c. 4. **J**ustices of Peace in Sessions have Power to order Houses of Correction to be built; to make Orders for governing them, and to see that Offenders sent thither be set to work, or punished; they are to be built at the Charge of the County.
- 1 Jac. 1. c. 7. And by this Statute there is to be a House of Correction in every County, or the Justices shall forfeit 5 l. each. Masters of these Houses to set on Work, and correct Persons by Whipping; to have such Allowances as the Justices shall think fit; and to give Account of Persons committed quarterly, &c.

Bue and Cry. See Robbery.
Hunting. See Game.

Iden.

Identitate Nominis.

WHere Lands or Goods of another wrong Person, outlawed for want of a good Declaration of the Surname, are seised by the King's Officers, he may have a Writ of *Identitate Nominis* to discharge them, &c. 37 E. 3. c. 2.

And Writ of *Identitate Nominis* is maintainable by Executors as well as the Testator. 9 H. 6. c. 4.

Ideots. See Lunaticks.

Jeofail.

Judgment to be given after Issue tried, notwithstanding any *Jeofail* or mispleading. 32 H. 8. c. 30.

After Verdict given in any Court of Record, 18 Eliz. c. 14. there shall be no Stay of Judgment, or Reversal for want of Form in a Writ, Count, Complaint, &c. or by Reason of insufficient Returns of Sheriffs, &c. but this not to extend to any Writ or Appeal of Felony, &c.

After Verdict in any Court of Record, Judgment not to be stayed for Variance in Form between the original Writ and Declaration, &c. 21 Jac. 1. c. 13. or for want of Averment of the Parties being living, so it be proved; or for Misnomer of Jurors; want of Return of Writs, &c. Suits of Appeal, &c. of Felony and Murder, &c. are likewise excepted by this Act.

Jersey and Guernsey.

16 & 17
Car. 2. c. 3.

By this Statute Judgment not to be stayed or reversed after a Verdict in the Courts of Record at *Westminster, &c.* for want of Form or Pledges; for not producing a Deed, or Letters of Administration; for want of *vi & contra personam*; mistaking the Christian Name or Surname of either Party, Sum of Money, Day, Month or Year, &c. being rightly named in any Record, &c. preceding. Made perpetual by 22 & 23 Car. 2. c. 4.

4 & 5 Ann.
c. 16.

This Statute enacts, That all the Statutes of *Jeofails* shall extend to Judgments entred by Confession, *Nil dicit*, or *Non sum informatus* entred in any Court of Record; and no Judgment to be reversed, where it would be aided by those Statutes.

3 Geo. 1.
c. 13.

For Defect in Form, or Substance, of Writs, &c. Judgment not reversed when Verdict given.

Jersey and Guernsey.

2 W. & M.
Sess. 2. c. 3.

Brandy, Strong Waters, and other Liquors brought from *Guernsey, &c.* to pay certain Duties, except Beer, Ale and Mum.

3 Geo. 1. c. 4.

The Inhabitants of the Islands of *Jersey and Guernsey, &c.* may import into *Great Britain* Goods of their own Growth and Manufacture Custom free, by this Act.

Results. See Crown.

India.

Indictment.

Sheriffs, &c. that take Inquests of Malefac-*Westm. 2.*
tors, to do it by twelve lawful Men, who *c. 13.*
are to put their Seals to the Inquisition, &c. *13 E. 1.*

Sheriffs who take Indictments, &c. to do it *1 E. 3. c. 17.*
by Roll indented, one Part whereof to remain
with the Indictors.

After a Person is indicted for Felony before *25 E. 3. c. 14.*
Justices of Oyer and Terminer, the Sheriff shall
be commanded to attach his Body by a *Capias*;
and on Return of a *Non est inventus*, a second
Capias, &c. shall be granted, and the Sheriff to
seize his Chattels, &c.

No Indictment to be made but by an Inquest *11 H. 4. c. 9.*
of lawful Men returned by Sheriffs, &c.

Indictments or Presentments taken before She- *1 E. 4. c. 2.*
riffs, &c. to be delivered to the Justices of Peace
at their Sessions, &c.

Justices of Peace may take Inquests at Discre- *3 H. 7. c. 1.*
tion, the Inquirers having *40 s. per Annum* each,
to enquire of Concealments of former Inquests,
&c. An Appeal to be preferred to an Indict-
ment, if the Appellant be ready.

Indictments good without the Words *vi &c.* *37 H. 8. c. 8.*
armis, cum baculis, cultellis, &c.

Persons accused and indicted of High Treason *7 W. 3. c. 3.*
to have a Copy of the Indictment five Days
before Trial; and Indictments for Treason to be
found in three Years after the Offence committed,
unless it be against the King's Person. See
Treason.

10 & 13
W. 3. c. 23.

For drawing a Bill of Indictment the Clerk of the Peace to take but 2 s.

Informations. See Actions.

Involment. See Bargain and Sale,
Grants, &c.

Interest of Money.

- 37 H. 8. c. 9. **T**HIS Statute allows 10 *per Cent.* Interest for Money lent on Mortgages, &c.
- 21 Jac. 1.
c. 17. By this Statute no more than 8 *per Cent.* is allowed as Interest, on Pain of forfeiting treble Value.
- 12 Car. 2.
c. 13. This Statute links the Interest of Money to 6 *per Cent.* and all Securities, &c. for more to be void.
- 12 Ann.
Sess. 2. c. 6. By this Act no Person is to take for Loan of Monies, &c. above 5 *l.* for the Forbearance of 100 *l.* for a Year. Bonds, Contracts, &c. made for Money, let at a greater Interest to be void, and the Offender to forfeit treble Value. Scriveners not to take above 1 *s.* besides the Stamp-Duties for making or renewing a Bond or Bill; and Brokers, Solicitors, Drivers of Bargains, &c. not to take more than 5 *s.* for 100 *l.* for a Year for Brokage, or procuring the Loan, &c. under the Penalty of 20 *l.*

Jointure. See Dower.

Ireland.

Ireland.

THE King's Officers in *Ireland*, not to purchase Lands there without License from the King. All kinds of Merchandizes may be exported thence, except to the King's Enemies. No Pardon for the Death of a Person, or for Felony, to be granted by the Justices but at the King's Command, and under his Seals. 17 E. 1. c. 1.

All kinds of Merchandizes may be exported and imported from and to *Ireland* by Aliens as well as Denizens. 34 E. 3. c. 18.

Irishmen coming to live in *England* to give Security for their good Behaviour. 2 H. 6. c. 8.

This Act was made for the speedy and effectual reducing of the Rebels in *Ireland*. 16 & 17 Car. 1. c. 33.

Constables, &c. to seize Cattle, Butter, Cheese, &c. imported from *Ireland*, and cause the Cattle to be killed, and distributed amongst the Poor; the Hides and Tallow to the Seisors. Constables seizing, not giving Notice to Churchwardens, and they not distributing, to forfeit 40 s. &c. 32 Car. 2. c. 2.

The pretended Parliament assembled at *Dublin*, declared an unlawful and rebellious Assembly, and all Acts done by them adjudged void. All Cities, Boroughs, &c. restored; and all Proceedings against them, &c. void. All Protestants restored to their Possessions, &c. 1 W. & M. Sess. 2. c. 9.

By this Act Bishops, Peers, Ecclesiastical Persons, Heads and Fellows of the University, Barristers at Law, Attornies, Doctors of Physick, &c. And all Officers in the Government, &c. in *Ireland*, in the Court of Chancery, King's Bench or Quarter-Sessions, to take the Oaths, and 3 W. & M. c. 2.

and subscribe the Declaration appointed by this Act. Peers and Members of Parliament, Barristers at Law, Attornies, Clerks or Officers in the Chancery or other Courts, offending contrary to this Act, disabled, &c. and forfeit 500 *l.* Any Person above the Age of 18, not taking the Oath of Fidelity, being required by two Justices of Peace, to be imprisoned for three Months, &c.

10 & 11 W. 3. c. 10. None shall export out of *Ireland* into Foreign Parts, other than to *England*, any Wool, Woolfells, Wool-flocks, Worsted, Serge, Fribes, Druggets, Shalloons, or any Drapery Stuffs, or Woollen Manufactures, on Pain of forfeiting the Wool, &c. and 500 *l.* and the Ship wherein any of the Commodities shall be laid on board, to be also forfeited.

1 Ann. c. 32. Persons educated in or professing the Popish Religion in *Ireland* of eighteen Years of Age, not taking the Oaths, and subscribing the Declaration, disabled to take by Discent, Devise or Limitation, &c. any Hereditament, Rent or Profit, &c. and the next of Kin being a Protestant to enjoy, &c.

6 Geo. 1. c. 5. The House of Lords in *Ireland*, to have no Jurisdiction to reverse Judgments, given in Courts of that Kingdom: And the Parliament of *England*, hath Authority over *Ireland*.

4 Geo. 2. c. 15. Goods and Merchandizes not enumerated in any Act of Parliament, may be imported into *Ireland* from the Plantations in *British* Ships; Except Tobacco, Sugar, Indigo, Ginger, Rice, Pitch, Tar, Turpentine, &c.

5 Geo. 2. c. 21. Woollen Manufactures not to be exported out of *Ireland*, and Ships of War and Sloops appointed to prevent the same.

see *Wool*, and *Forfeited Estates*.

The

Ile of Man.

NO Wine, Brandy, Tobacco, or *East-India* 12 Geo. 1.
 Goods, to be brought from the Ile of Man, c. 28.
 upon Pain of Forfeiture, and the Vessels; and
 taking such Goods out of any Ship, is liable to
 100 l. Penalty, &c. Commissioners of the Treas-
 ury may treat with the Earl of Derby for the
 Purchase of all Right to the said Island.

Judgment, and Judges.

BY this Statute a Prelate, two Earls, and two 14 E. 3. c. 5.
 Barons, have Power to hear Complaints for
 Delay of entring Judgments, and to call before
 them the Justices and Records, &c. with the
 Chancellor, &c. by Power of the King's Commis-
 sion. Judges in Court may be increased or dimi-
 nished.

Judgments shall continue till they are attaind 4 H. 4. c. 23.
 of Error.

After Demurrer joined, the Judges to proceed 27 El. c. 5.
 and give Judgment, without Regard to Defects,
 &c. unless shewn, &c.

Judges that sign Judgments of Lands, to set 29 Car. 2.
 down the Day of the Month or Year of their Co c. 3.
 doing upon the Paper or Record, and to be Judg-
 ments against *bona fide* Purchasers only from that
 signing.

The Clerk of the Essoins of the Court of Com- 4 & 5 W. & 3
 mon Pleas, Clerks of the Dockets in B. R. &c. M. c. 20.
 before

Judicial Proceedings.

before the End of every *Easter* Term to enter a Particular of all Judgments of Debt by Confession, *Non sum informatus*, &c. of the *Hillary* Term preceding, and within ten Days deliver Notes in Writing to the Clerks, &c. the like before the End of *Michaelmas* Term, of the Terms of *Easter* and *Trinity*, and before the End of *Hillary* Term, of *Michaelmas* Term, under the Penalty of 100 *l.* No Judgment to affect Purchasers of Lands or Mortgagees till docketted. Search for Judgments 4 *d.* a Term.

3 & 6 *W. & M. c. 12.* Upon signing Judgment 6 *s.* 8 *d.* to be paid to the proper Officer in Satisfaction of the *Capiatur* Fine.

8 & 9 *W. 3. c. 11.* Where upon Demurrer in any Action Judgment shall be given against the Plaintiff or Defendant; or if after Judgment for the Defendant the Plaintiff sues a Writ of Error, and the Judgment shall be affirmed, &c. the Defendant to have Judgment for Costs, &c.

See Error, Jeofails, &c.

Judicial Proceedings.

5 *E. 3. c. 11.* Justices assigned to try Felonies shall direct their Writs to all the Counties of *England* to take Persons, &c.

6 *H. 6. c. 1.* Upon Indictment of any Person in *B. R.* for Treason, Felony or Trespass, a *Capias* shall be awarded against him.

8 *H. 6. c. 10.* This Statute directs another *Capias* on Indictments where the Party lives in another County; and

In Actions upon the Case like Process to be 19 H. 7. c. 9.
had as in Actions of Trespass or Debt.

When any Person shall sue forth of *B. R.* any *8 Eliz. c. 2.*
Latitat, Alias and *Pluries Capias* against any
 Person, who thereupon appears and puts in Bail,
 if the Plaintiff do not declare within three Days,
 or after Delaration, discontinues, &c. the Judges
 to award Damages; where Courts not kept *de*
die in diem, the Plaintiff to declare at the next
 Court after Appearance. Maliciously causing
 Persons to be arrested, the Offenders to be im-
 prisoned six Months, and forfeit 10 *l.* besides
 treble Damages.

No judicial Proceedings commenced or prosecuted in the Stile of *Oliver* Lord Protector, &c. abateable by his Majesty's reassuming the Government. And a pretended Act for turning the Books of the Law, and Proceedings in Courts of Justice into *English*, declared to be in Force.

There need not to be fifteen Days between the 13 *Cap.* 2.
Teste and Return of any *Venire facias*, *Hab. c.* 2.
Corpus, *Jur. Defringas*, *Fi. Fa.* or *Ca. Sa.* (other
than *Ca. Sa.* on an Exigent) in personal Actions,
and *Ejectione firma.*

This Statute was made for adjourning *Hilary* *W. & M.* Term, and to confirm Returns of Writs, Proceſſes, *Sec.* *1. c. 4.* *ſes, &c.* Writs, *&c.* executed before returnable, and Bills, Complaints, Judgments, *&c.* in inferior Courts to ſtand good, *&c.*

Upon

- 4 & 5 W. & M. c. 19. Upon the Demise of any King or Queen of England, all Pleas to Informations shall stand, without calling the Defendants to plead anew. See more of this Statute, *Appearance*.
- 9 & 10 W. 3. c. 16. The High Court of Chancery, Exchequer, or Court of great Sessions in Wales, where the Cause originally arises, may issue out Executions or other Processes upon Judgments, &c.
- 1 Ann. c. 8. No original Writ or Process, Plea, &c. to be discontinued by the Demise of the late King.
- 4 Geo. 2. c. 26. All Writs, Pleadings, Entries, &c. and Proceedings in the Courts of Justice in England, &c. shall be in *English*, and not *Latin*, or *French*; and be writ in a common ingrossing Hand, under the Penalty of 50 *l.* And Errors in Form, &c. may be amended at any Time, on Payment of Costs: But Business of the Admiralty to be certified in *Latin* as formerly.
- 6 Geo. 2. c. 6, 14. The above Act shall not extend to the Court of Receipt of the Exchequer: And Writs, &c. may be written or printed in a common Hand, expressing Numbers by Figures, and with usual Abbreviations; and Names of Writs to be in the Language commonly used.

- 13 E. 1. c. 38. **N**O more Jurors to be summoned in one Assise than twenty-four. And Jurors to have 20 *s.* per Annum; if the Assises taken out of the County 40 *s.* per Annum; And old Men above seventy, and diseased Persons not to be put upon Juries.

Juries. Inquests to be taken by a Jury of twelve lawful Men.

This Statute enacts, That Jurors shall have ^{21 E. 1.} 40 s. *per Annum* Lands, and 5 l. a Year, to be impanell'd out of their proper Counties. But this not to extend to Juries in Corporations.

Jurors impanell'd to be next Neighbours, most ^{28 E. 1. c. 9.} sufficient, and least suspicious, of the Officer shall forfeit double Damages.

Jurors accused by either Party for Bribery, to ^{34 E. 3. c. 8.} be tried presently by a Jury then taken.

If a Juror take any Thing of either Party to ^{38 E. 3. c. 12.} give his Verdict, he shall pay ten times so much as taken, or suffer a Year's Imprisonment.

The Sheriff to array the Panels in Assises four ^{42 E. 3. c. 11.} Days at least before the Sessions of the Justices, that the Parties may have Copies, on Pain of 20 l.

None to be on any Inquest upon Trial of the ^{2 H. 5. c. 3.} Death of a Man, or in any Plea real or personal, where the Debt, &c. amounts to forty Marks, who has not Lands of 40 s. *per Annum* above Reprizes.

Jurors at the Sheriffs Turn to have 20 s. *per* ^{1 R. 3. c. 4.} *Annum* Freehold, or 26 s. 8 d. *per Annum* Copyhold; Officers returning others to forfeit 40 s.

Panels returned to enquire for the King, may ^{3 H. 8. c. 12.} be reformed by the Justices of Gaol-Delivery, &c. And Sheriffs to return the Panels so reformed, under the Penalty of 20 l.

The Sheriffs of London may return Panels of ^{4 H. 8. c. 30.} Jurors in Suits depending triable in London, of such as are worth an hundred Marks in Goods.

Trials of Felons in Corporations may be by ^{23 H. 8. c.} 13. Freemen worth 40 l. in Goods.

This

- 35 H. 8. c. 6. This Statute regulates the Forms of Writs of *Venire*, &c. and ascertains Issues to be levied on Jurors for Non-appearance; and although the Jury be made full by the *Tales*, yet the Jurors making Default shall lose Issues; but upon a reasonable Excuse proved by two Witnelles, Justices may discharge Issues for Default.
- 4 & 5 P. & M. c. 7. By this Statute a *Tales de Circumstantibus* may be granted in a Suit commenced upon a penal Statute.
- 14 Eliz. c. 9. In case the Plaintiff forbear to pray a *Tales*, it shall be granted at the Request of the Defendant.
- 18 El. c. 5. No Jury to appear at *Westminster* for a Trial, when the Offence was committed thirty Miles off, except the Attorney General require it.
- 27 Eliz. c. 6. This Statute increases the Qualification of Jurors, from 40 s. to 4 l. *per Annum*. Sheriffs, &c. returning others to forfeit 20 s. Taking a Bribe to spare a Juror, 50 l. And by 4 & 5 W. & M. c. 24. Jurors are to have 10 l. *per Annum* Freehold or Copyhold, and *Tales Men* 5 l. *per Annum*.
- 7 & 8 W. 3. c. 32. By this Statute, if a Plaintiff or Demandant shall not proceed to Trial at the first Assises after the *Teste* of a *Habeas Corpora*, a new Writ of *Venire* to be directed to the Sheriff to try the Issue at another Assises; and the Defendant may bring the Cause to Trial by Proviso. Sheriffs to return Freeholders or Copyholders on the *Tales*. Constables, &c. at *Michaelmas* Quarter-Sessions to return to the Justices of Peace Lists of Persons qualified to serve on Juries; and Sheriffs to impanel no others, &c. under the Penalty of 20 l. The Grand Inquest of the County of *York* to consist

consist of forty-eight Freeholders and Copyholders of 80 *l.* per Annum.

Persons having served on Juries not compellable to serve again in four Years in the County of York, and Sheriffs not discharging a Summons on such shall forfeit 20 *l.* Constables not returning Lists of Jurors to forfeit 10 *l.*

Venire's out of Courts at Westminster to be 2-4 *s.* 3 Ann. 7. 18.
warded of the Body of the County, except in Cases of Felony, Murder, &c. 16.

Lists of Jurors qualified to be made from Rates of Parishes, and yearly fix'd on Doors of Churches, &c. And returning Officers wilfully omitting Freeholders, or inserting others, shall forfeit 20 *s.* Duplicates of the Lists when adjusted by Justices, to be delivered to Sheriffs by Clerks of the Peace, on Pain of 20 *l.* Forfeiture. And the Sheriffs to enter Names of the Persons in a Book alphabetically : If any Sheriff, &c. return other Persons to serve on Juries, or Clerk of Assize record any wrong Appearance, they shall be fined by the Judges, not exceeding 10 *l.* nor less than 40 *s.* Like Penalty for Sheriffs taking Money to excuse Persons serving.

The Names of Persons impanell'd to serve, to be written in distinct Pieces of Paper, and delivered to the Judge's Marshal, and he shall cause them to be rolled up and put in a Box; and when Causes are brought on, some indifferent Person in open Court to draw out twelve of the said Papers of Names, who not being challenged shall be the Jury; but if any be challenged and set aside, or do not appear, then a further Number to be drawn, till there is a full Jury, &c. Jurors making Default in appearing, unless on reasonable Cause of Absence proved, to be fined not

R

above

Justices of Assise.

above 5 *l.* or under 40 *s.* In Trials of Issues on Indictments and all Actions, the Courts may order a special Jury to be struck, as on Trials at Bar, &c.

Stat. ibid.

Persons having Estates for 500 or 99 Years, or other Term determinable on Lives, &c. of 20 *l. per Ann.* declared qualified to serve on Juries; and Sheriffs, &c. shall not impanel Persons for Trial of capital Offences, who would not be qualify'd in Civil Causes: In *London* Jurors to be House-keepers, having Lands or Goods to Value of 100 *l.*

4 *Geo. 2. c. 7.* Leaseholders on Leases where the Rent amounts to 50 *l.* a Year, liable to serve on Juries in the County of *Middlesex*.

6 *Geo. 2. c.*
37.

The Justices of Assise for Counties *Palatine*, &c. on Motion for the King, or any Prosecutor, or Defendant, may appoint a Jury to be struck for trying of Issues, in like manner as special Juries in Courts at *Westminster*. And the Acts 3 and 4 *Geo. 2.* for regulating Juries are made perpetual.

Justices of Assise.

9 *H. 3. c. 12.* Justices to be sent thro' every County once a Year, who with Knights of Shires shall take Assises; and Things of Difficulty that cannot be determined by them, referred to Justices of the Bench.

18 *E. 3. c. 1.* Justices are to take an Oath to serve the King, warn him of Damage, do Justice to all without respect of Persons, take no Bribes, give no Counsel where he is a Party, maintain no Suit, nor deny

deny Right, tho' commanded by the King, to procure the King's Profit, and be answerable in Body, Lands and Goods.

Assises, Juries, Inquests, &c. of *Middlesex* *Incerti Temporis* to be taken before the Justices of the Bench.

To be eight Justices of Assise appointed, viz. two in the Counties of *Kent, Essex, Suffolk, Norfolk, Cambridge, Huntingdon, Bedford and Buckingham*; two in the Counties of *Lincoln, Leicester, Warwick, Stafford, Salop, Northampton, Rutland, Gloucester, Hereford and Wigorn*; two in the Counties of *Cornwall, Devon, Somerset, Dorset, Wilts, Southampton, Oxon, Berks, Sussex and Surrey*; and two in the Counties of *York, Northumberland, Westmorland, Cumberland, Lancashire, Nottingham and Derby*.

Justices of Assise and Gaol-Delivery to hold 6 R. 2. c. 3. their Sessions in the chief Towns of every County.

No Lord, or other Person shall sit upon the 20 R. 2. c. 3. Bench with the Justices of Assise.

No Justice, or other learned in the Law, to be 33 H. 8. c. 1. Justice of Assise in the County where born, or 24. where he doth inhabit, under the Penalty of 100 l. The Clerk of the Assise not to be of Counsel to any within the Circuit, on Pain of 10 l.

Justices of Assise, Gaol-delivery, and of the 5 Eliz. c. 9. Peace, have Power to hear and determine Perjury, Subornation, &c.

Justices of Assise have Power to enquire of 31 Car. 1. the Misdemeanors of Sheriffs, Bailiffs, Jurors, &c. c. 3. by 20 E. 3. And by this Statute Sheriffs were to set up Transcripts of Fines received from the Chirographers at the Summer Assises.

Justices of Gaol-delivery, &c.

The Attendants of Sheriffs, &c. at Assises,
See Sheriffs.

Justices of Gaol-delivery, &c.

27 E. 1. c. 3. **J**ustices of Assise, presently after the Assise is over, to deliver the Gaols.

4 E. 3. c. 2. Discreet Persons to be assigned in all Shires of England to take Assises, &c. and deliver Gaols. And also other discreet Persons in each County to keep the Peace; and Justices of Gaol-delivery to deliver the Gaols of those who stand indicted before the Justices of Peace.

Justices of Oyer and Terminer, *ad audiendum & determinandum*, not to be granted but before one of the Justices of either Bench, and that for heinous Trespasses, &c.

9 E. 3. c. 2. Records of Justices of Assise, Gaol-delivery, and Oyer and Terminer, to be sent into the Exchequer.

Justices of Peace.

1 E. 3. c. 16. **T**HE first Appointment of Justices of Peace was by this Statute.

34 E. 3. c. 1. By this Act their Number was to be six in every County, of which two should be of the best Quality, two Knights, and two Men of the Law; and

and by Commission they were to determine Matters relating to the Peace.

Justices of Peace to keep their Sessions four 36 E. 3. c. 12. Times in the Year, viz. one within the *Octabis* of *Epiphany*, the second within the second Week of *Lent*, the third between the Feast of *Pentecost* and *St. John Baptist*, and the fourth within eight Days of *St. Michael*.

Justices of Peace to be allowed 4 s. a Day, and 12 R. 2. c. 10. the Clerk of the Peace 2 s. so long as the Session continues, paid by the Sheriffs. No Steward of any Lord to be in Commission of the Peace.

By this Statute eight Justices of Peace were to 14 R. 2. c. 19 be assigned in every County.

Justices of the Peace to be resident in the Coun- 2 H. 5. c. 4. ty, and to keep their Sessions four Times in a Year, viz. the first Week after *Michaelmas*, *Epiphany*, *Easter*, and *St. Thomas the Martyr*, called *Becket*, being the seventh of *July*.

And to be of the most sufficient Persons in the 2 H. 5. Stat. 2. County.

Justices of Peace of *Middlesex* not compellable 14 H. 6. c. 4. to hold Sessions above twice in the Year.

Justices of Peace to have 20 l. *per Annum* in 18 H. 6. c. 11. Lands, and acting without such Qualification, except Lawyers, forfeit 20 l.

If a Justice dwell in any City, a County of k-9 Geo. 1. c. 7. self within the County at large, he may grant Warrants, &c. at his Dwelling-house, tho' out of his County.

No Person capable of being a Justice of Peace, 5 Geo. 2. c. 18. that hath not 100 l. a Year Estate Freehold or Copyhold to his own Use in Possession, &c. and Persons who act without being so qualified, incur a Forfeiture of 100 l. Attornies, &c. are incapable to be Justices.

§ Geo. 3.
c. 19.

On Appeals to Justices, they shall cause Defects in Form in Orders, &c. to be rectified without Charge; and their Judgments not to be removed into *B. R.* without Recognizance of 50 *l.* to prosecute with Effect, and pay Costs if affirmed.

§ H. 7.
H. 8.
E. 6.
Q. Eliz.
Jac. 1.
Car. 1.
Jac. 2.
W. 3.
Q. Ann.
R. Geo. 1.
c. 2.

At the next General Quarter-sessions Justices of Peace are to certify Recognizances. And the particular Power of Justices of the Peace given them by Statutes, from their first Institution to this Time, relates to Affrays, Alehouses, Apprentices, Arrest, Assaults, Badgers, Bail, Bakers, Barretry, Bastardy, Behaviour, Brewers, Bricks and Tiles, Bridges, Burglary, Burials, Burning of Houses, Butchers, Buttons, Callico, Carriers, *Certiorari*, Church and Churchwardens, Clipping and Coining, Cloth and Clothiers, Coaches, Constables, Corn, Cottages, Customs, Deer and Deer-stealing, Distillers, Distress, Dyers, Drunkenness, Escape, Evidence and Examination, Excise, Felony, Fish, Forcible Entry, Forestallers, Game and Gaming, Gaol and Gaolers, Gunpowder, Hawkers and Pedlars, Hedge-breakers, Highways, Hops, Horses and Horse-stealing, House of Correction, Hue and Cry, Informers, Juries, Labourers, Lord's Day, Linen-Cloth, Malt, Oaths, Perjury, Players, Poor, Rape, Recognizances, Recusants, Riots, Robbery, Sailcloth, Salt, Servants, Sessions, Settlements, Sewers, Silk-throwers, Soldiers, Squibs, Swearing, Taxes, Taylors, Tithes, Treason, Vagrants, Viſtuallers, Warrants, Watch, Watermen, Weights and Measures, Windows, Wood, Wool, Wrecks, &c. which see at large in my *Modern Justice*.

Justice of Peace's Power determines by the Death of the King, Discharge under the Great Seal

Seal, granting a new Commission, Accession to another Office, as being made Sheriff, &c.

King.

ACT to enable the King to be Governor of 4 Geo. 1. c. 2. the South-Sea Company.

An Act to grant Annuities at 5 *l. per Cent.* on 7 Geo. 1. c. 27. the Civil List Revenue, to raise 500,000 *l.* for the Service of his Majesty.

The King may borrow a Sum not exceeding 11 Geo. 1. 1,000,000 *l.* And Commissioners of the Treas- 17. ury to make out Exchequer Bills, &c. on Security of the Civil List Revenues, redeemable by his Majesty, &c.

A Sum of 370,000 *l.* granted to his Majesty, 13 Geo. 1. to be raised by Loans or Exchequer Bills. c. 21.

The King may borrow 600,000 *l.* to be charged on overplus Money, &c. at 3 *l. per Cent.* Interest, redeemable by Parliament. 9 Geo. 2. c. 34.

King and Queen.

ALL Regal Power, Dignities, &c. to be as 1 M. Parl. 3. 1. well in a Queen as a King.

Persons affirming the King to be a Papist, or 13 Car. 2. an Heretick, or endeavouring to introduce Popery, &c. disabled to enjoy any Office, Civil or Military, &c. 1.

2 W. & M. By this Statute the Lords and Commons de-
 sess. 1. c. 1. clare and enact the recognizing of King *William*
 and Queen *Mary*, lawful and rightful King and
 Queen of *England*, &c.

1 & 2 Ann. The Queen by Letters Patent, &c. may grant
 c. 2. Prince *George* of *Denmark* an Annuity of
 100,000 *l. per Annum* out of the Duties of Excise
 and Post-office; and may grant to his Use *Kens-*
ington Palace, &c.

3 Ann. c. 6. This Statute enables her Majesty to grant the
 Honour and Manor of *Woodstock* to the Duke of
Marlborough.

4 Ann. c. 8. This was one of the Acts for settling the Suc-
 cession to the Crown after her Majesty, and the
 Person to succeed is by this Act empower'd by
 three Instruments to appoint so many natural-
 born Subjects of *England*, as he or she shall
 think fit to be added to the seven great Officers
 of State, as Lords Justices, who, or the major
 Part, not being fewer than five, to execute
 Powers, &c. The three Instruments to be trans-
 mitted into *England*, and deposited in the Hands
 of the Successor's Resident, the Archbishop and
 Lord Chancellor; and after the Demise of her
 Majesty without Issue, to be brought to the Pri-
 vy Council, and opened, read and Inroll'd in
 Chancery. The Lords Justices not to dissolve
 the Parliament without Direction from the Suc-
 cessor, &c.

6 Ann. c. 7. The Parliament not dissolved by the Death of
 her Majesty, or her Successor; nor the Privy
 Council, Officers Civil and Military, &c. dis-
 charged, but to act and continue in their Offices
 for six Months, unless prosecuted or discarded by
 the Successor.

The

The King enabled to grant the Prince of *Wales* 1 *Geo.* 1. c. 2.
an Annuity of 100,000 *l.* *per Annum*, and to 22.
the Princess of *Wales* 50,000 *l.* after the Prince's
Death, to be paid out of Revenues of the Post-
office and Excise.

This present King by Letters patent to settle 1 *Geo.* 2. c. 3.
on the *Queen* an Annuity of 100,000 *l.* *per*
Annum, to commence after his Majesty's Death,
payable out of the Crown Revenues: Likewise
grant to her *Somerſet Houſe* Palace, and *Rich-*
mond Lodge. When this Annuity takes place,
the former to cease.

His Majesty to constitute the Queen Regent of 2 *Geo.* 2. c. 27.
the Kingdom, when he goes abroad, and ſhe
ſhall do all Acts without taking Oaths.

The King is impowered to grant to the Prin- 7 *Geo.* 2. c. 13.
ceſs Royal an Annuity of 5000 *l.* *per Ann.* beſides
80,000 *l.* her Marriage Portion.

Alſo to grant 50,000 *l.* a Year to the preſent 10 *Geo.* 2. c.
Princeſs of *Wales* for her Life, &c. 29.

King's Household.

IN this Act which grants a Tax on Lands, 11 & 12
1 &c. there is a Clause that the Overplus of *W.* 3. c. 2.
the neat Produce of the Branches ſettled for the
Civil Liſt, &c. above 700,000 *l.* for the Year,
ſhould be otherwiſe applied as the Act directed.

The Hereditary Excise, Revenue of the Poſt- 13 & 14
office, Fiſt-Fruits, Fiſes of Alienation-office, *W.* 3.
&c. further Subſidies of Tonnage and Poundage 1 *Ann.* c. 7.
declared to be chargeable with the yearly Sum of
700,000 *l.* for the Support of the Houſhold.

The

King's Bench. King's Palace.

1 Geo. 1. c. 1. The Duties of Excise on Beer, and Ale, &c. granted to K. George the First for Life, and Tonnage and Poundage Duties; with Revenues of Post-office, Wine Licence, Fines, &c. settled for the Support of his Majesty's Household: And they shall be chargeable with 700,000 *l.* a Year.

1 Geo. 2. c. 1. By this Act the above Duties are granted to K. George the Second for his Life; also further Subsidy of Tonnage, &c. And if Revenue falls short of 800,000 *l. per Annum*, the Deficiency to be made good out of next Aids.

King's Bench.

28 E. 1. c. 5. **T**HE Court of King's Bench, to follow the King. And it is a high Court, wherein Pleas of the Crown, viz. Treasons, Felonies, Breaches of the Peace, and all personal Actions, Ejectment, &c. are tried and determined.

It corrects Judicial Proceedings of other Courts, Misdemeanors, &c.

King's Palace.

33 H. 8. c. 12. **S**triking in the King's Palace, the Offender shall have his Right-Hand cut off, be imprisoned during Life, and fined.

Labourers.

Labourers.

Justices of Peace, Head-officers in Corporations, ^{4 E. 4. c. 1.}
Stewards of Leets, &c. to hear and determine
Complaints concerning Non-payment of Labour-
ers Wages.

Labourers, Artificers, &c. conspiring together, ^{2 & 3 E. 6.}
concerning their Work or Wages, to forfeit 10 *l.* ^{c. 15.}
for the first Offence, 20 *l.* for the second, and
for the third 40 *l.* and if not paid, to stand on the
Pillory.

Labourers taking Work by the Great, and lea- ^{5 Eliz. c. 4.}
ving the same unfinished, unless for Non-pay-
ment of Wages, the Queen's Service, &c. to suf-
fer one Month's Imprisonment, and forfeit 5 *l.*
Wages of Labourers, &c. to be yearly assessed for
the County by the Sheriff, and Justices of Peace
in the Sessions, and in Corporations by Head Of-
ficers in *Easter Sessions*; Justices neglecting to
forfeit 10 *l.* And Persons giving greater Wages
to forfeit 5 *l.* From the Middle of *March* to the
Middle of *September* Labourers to work from five
in the Morning till seven or eight at Night, being
allowed two Hours for Breakfast and Dinner,
&c. and half an Hour for sleeping the three hot
Months; and all the rest of the Year from Twi-
light to Twilight, except an Hour and a Half for
Breakfast and Dinner, on Pain of forfeiting 1 *d.*
an Hour. Labourers in the Harvest-time to go
to other Counties, having Testimonials.

By this Statute the 5th *El. c. 4.* shall give ^{1 Jac. 1. c. 6.}
Power to Justices of the Peace to rate the Wages
of any Labourers, Weavers, Spinsters, Workmen,
&c. Sheriffs, &c. to cause the Rates to be pro-
claimed.

Lancaster.

claimed. Clothiers, &c. giving less than the Rates appointed to forfeit 10 s.

1 Ann.

Payment for Work done in the Woollen Manufacture to be made in ready Money, and not in Cloth, &c. on Pain of forfeiting to the Labourer double Value.

See Clothiers.

Lamps. See London.

Lancaster.

37 H. 8. c. 16 **T**HIS Act was made to annex Lands to the Dutchy of *Lancaster* for Inlargement of it.

37 H. 8. c. 19. Fines levied before the Justices of Assise of *Lancaster*, and proclaimed, &c. of Lands in the County Palatine, to be of equal Force with those acknowledged before the Justices in the Common Pleas.

5 & 6 E. 6. c. 26. Process against an outlawed Person in the County Palatine of *Lancaster*, to be directed to the Chancellor of the Dutchy, who shall thereupon issue like Writs, &c. to the Sheriff.

16 & 17 Car. 2. c. 10. By this Statute the Court holden before the Chancellor and Counsel of the Dutchy of *Lancaster* was dissolved.

19 Car. 2. c. 5. By this Statute the Act 17 Car. 2. c. 7. to be of Force in Causes of Replevin in the Court of Common Pleas for the County Palatine of *Lancaster*.

See *Spolium*.

Leases.

Leases.

L Leases made by Tenants in Tail to be good ^{32 H. 8. c. 28.} in Law against Lessors, their Wives, Heirs and Successors; but this Act not to extend to Leases of Lands made without Impeachment of Waste, of Estates not let in twenty Years before, nor to any Lease made for above twenty-one Years or three Lives; and the usual Rents to be reserved. All Leases made by the Husband of Lands of the Wife, to be made by Husband and Wife; and no Fine, Feoffment, &c. by the Husband only, of the Inheritance of the Wife, shall prejudice her Interest.

Upon Leases made by Colleges in the two ^{18 Eliz. c. 6.} Universities, *Winchester* and *Eaton*, a third Part of the Rent to be reserved in Grain.

All Leases made by Masters or Fellows of Col- ^{18 Eliz. c. 11.}leges, *Deans* and *Chapters*, Masters of Hospitals, &c. where another Lease is in Being, not to be expired or surrender'd in three Years, to be void; and Leases of such Persons, &c. to be made for twenty-one Years, or three Lives, reserving the accustomed yearly Rent, &c. by ^{13 Eliz. c. 10.}

Leases made by the King of Part of the Dutchy ^{13 Car. 2.} of *Cornwall* to be for three Lives, or thirty-one Years, and not dispunishable of Waste, whereon the ancient Rent to be reserved; Estates in Reversion with those in Possession not to exceed three Lives, &c.

Where no Rent hath been reserved, the ^{20th 22 Car. 2.} Part of the clear yearly Value to be reserved on such Leases.

This Statute confirms all Grants made in the ^{1 Jac. 2. c. 9.} last Reign, and to be further made by Copy of Court.

Leases.

Court-Roll, according to the Custom of the Manors of the Dutchy of *Cornwal*, not exceeding one, two or three Lives, or thirty-one Years, or some Term determinable on one, two or three Lives; and Covenants, Conditions, &c. in such Leases to be good in Law, as if the King were seised in Fee-simple.

5 & 6 W. & M. c. 8. Leases made of Lands in *Cornwal* by King *Charles* the Second, &c. to be good against the King, &c.

10 Ann. c. 18. By this Act Leases from the Crown of Lands in *England* and *Wales*, and under the Seals of the Dutchy of *Lancaster*, for one, two or three Lives, or some certain Terms not exceeding fifty Years, omitted to be inroll'd, allowed further Time for Inrolment.

12 Ann. c. 22. Leases made, or to be made, and Grants by Copy of Court-Roll of Lands, &c. belonging to the Dutchy of *Cornwall*, to be good in Law against the Queen, and all who shall inherit that Dutchy.

10 Geo. 2. c. 29. And all Leases made by the Prince of *Wales* of Lands, &c. in the Dutchy of *Cornwal*, for three Lives, or thirty-one Years, on which is reserv'd the most usual Rent paid for the greatest Part of twenty Years before, shall be good in Law against his Majesty, his Royal Highness, and their Heirs, &c.

A Person for whose Life an Estate is granted, absent for seven Years, accounted as dead.

See Deaths and Deceases of Persons,
and Rents.

Landlords, and Tenants. Vide Distress, &c.

Libraries.

Libraries.

Libraries erected in Parishes to be preserved 7 *Ann. c. 14.*
 for the Uses directed by the Founder. Incumbents to give Security to preserve the same; make Catalogues of the Books in six Months after their Institution, to be delivered to the Ordinary. Upon the Death of an Incumbent the Library to be lock'd up by the Churchwardens, &c. A Book to be kept for entring Benefactions. No Books alienable without the Consent of the Ordinary; and the Ordinary, &c. may enquire of the State of Libraries in Visitations.

Lighthouse.

AN useful Light to be placed in the Light-house on the *Edystone*, by the Master and Wardens of *Trinity-house* of *Deptford Strond*, &c.

A Light-house erected by Patent on the Island 3 *Geo. 2. c. 36.*
 or Rock called *Skerries* near *Holyhead* confirmed; and Tonnage Duties granted on Ships sailing in *St. George's Channel*, for maintaining it.

Limit.

Limitation.

- 32 H. 8. c. 2. **S**Eisin in a Writ of Right, to be within sixty Years, before the *Teste* of the Writ: In *Mortdancestor*, Writ of Entry, *sur Disseisin*, or other possessory Action, upon Possession of an Ancestor, within fifty Years; on the Party's own Possession, in thirty Years, &c. And the Plaintiff is barr'd, not proving such Possession.
- 21 Jac. 1. Writs of Formedon shall be sued and prosecuted within twenty Years after Title had, &c.

See Actions.

Lincoln's Inn fields.

- 8 Geo. 2. c. 26. **T**HE Proprietors and Inhabitants of Houses in *Lincoln's Inn Fields*, shall chuse Trustees to direct inclosing it; who may dig and carry away Earth, bring in Gravel, employ Artificers and remove Annoyances, &c. for which Rates are to be made on all Houses, not exceeding 2 s. 6. d. in the Pound, payable Part by Tenants, and Part by the Landlords: And this Square and Back Streets to be a distinct Ward, as to Scavengers Rates and Watch. Persons making any Incroachment, liable to 50 l. Penalty; and assembling there to use Sports, ride Horses, or breaking Fences, &c. shall forfeit 40 s. leviable by Justices.

Linen Cloth.

NO Persons to put to Sale any Doulas, unless the Length be expressed thereon, upon Pain of Forfeiture. 28 H. 8. c. 4.

Using Means whereby Linen Cloth shall be made deceitfully, the same to be forfeited and a Month's Imprisonment inflicted. 1 Eliz. c. 12.

Any Persons may set up Trades of dressing Hemp or Flax, and making Thread for Linen Cloth, &c. 15 Car. 2. c. 15.

Linen Cloth to be exported Duty free. 3 Geo. 1. c. 74

London.

BY *Magna Charta* the Liberties of the City of London, &c. are confirmed. 9 H. 3. c. 9.

Lords of Rents in London by a Writ of *Gavelet* 10 E. 2. in the *Hustings*, may recover them.

The Mayor, &c. of London to cause Defaults and Misprisions to be redress'd, under the Penalty of 1000 Marks, &c. The Constable of the Tower to execute Processes against the Mayor, &c. for Default, &c. 28 E. 3. c. 10.

Citizens and Freemen of London, &c. having Debts under 40 s. may cause the Debtor to be summoned to the Court of Requests at *Guildhall*, and the Debt there shall be summarily determined: Debtors refusing to appear, to be imprisoned, &c. But not to extend to Debts for Rent, or on real Contracts. 1 Jac. 1. c. 15.

§

This

19 Car. 2.
c. 23.

This Statute was made for erecting a Judicature for determining Differences relating to Houses burnt by the Fire; and lays down certain Rules and Directions for Workmen, &c. in rebuilding the City of *London*, which were to be observ'd on Pain of demolishing the House otherwise built. The Outfides of Buildings to be of Brick or Stone; to be Parry-Walls; and to be Houses of three Sorts; the first and second for Lanes and Streets to be two or three Stories high, and the other Sort for principal Streets four Stories high; in the Front of Houses in High Streets to be Balconies four Foot broad. Artificers not free of the City to enjoy such Liberties as Freemen till the City finished. Houses to be built in three Years, or in Default the Ground sold by the Lord Mayor, &c. to others. Lord Mayor, &c. may enlarge Streets, and order which shall be called Lanes, Streets, and High Streets, &c.

22 Car. 2.
c. 11.

The Lord Mayor, Aldermen and Common Council, to set out Markets, and Places for Enlargement of them, by Approbation of his Majesty; and to enquire of Value of Ground taken in by a Jury. No Builders shall lay Foundations till Surveyors have viewed the same. Justices of the King's Bench, Common Pleas, and Barons of the Exchequer may decree Leases against Infants, &c. for fifty-one Years, to such as will undertake to rebuild, upon Petition of the next of Kin, &c. The Number of Parishes to be rebuilt, and Churches, to be fifty-one. A Duty is granted on Coals for re-building of Churches, &c. And *Bridewell* Dock to be made navigable to *Holborn* Bridge. Water to be convey'd by Pipes

Pipes from the Tops of Houses fronting Streets, Lanes, &c. into Channels.

This Statute ascertains the Tithes of the Parishes in London, the Churches whereof were burnt, none less than 100 *l. per Annum*, nor above 200 *l.* besides Glebes, Perquisites and Gifts. And Assessments to be made by Aldermen of Wards, Common Council Men and Churchwardens, to be levied by Distress on Non-payment, and be accounted for quarterly.

By this Statute the Lord Mayor, &c. has Power to appoint Persons to set out the Manner of paving and pitching Streets and Lanes, and also of Drains and Sewers, and to impose a Tax upon Houses in Proportion to the Benefit they receive thereby, &c.

This Act reciting a Judgment given in *B. R. 2 W. & M.* in Trinity Term, 35 *Car. 2.* in a *Quo Warranto* Sess. 1. c. 8. against the Mayor and Citizens of London, that the Franchise of the said City should be seized into the King's Hands as forfeited, reverses and makes void the Judgment, and confirms all Grants, Leases, &c. restores all Officers, Companies, &c. and vacates all Charters, &c. made since the said Judgment by King Charles the Second or King James the Second.

By this Act Persons authorised by the Lord Mayor, Aldermen and Common Council of London, to have the same Power in London and Liberties thereof, as Commissioners of Sewers in any other County or Place.

The City of London to be supply'd with Water from the Thames near Chelsea; and Trustees incorporated, &c. And casting Filth into Water-courses incurs 40 *s.* Penalty.

11 Geo. I.
c. 18.

Aldermen and Common Council Men of *London* shall be elected by Freemen that pay Scot and Lot, having Houses of 10 *l.* a Year; and none but Liverymen that have been twelve Months on the Livery, &c. to vote at Election of Members of Parliament: The Freemen hereafter made, and others before unmarried, &c. may dispose of Personal Estates, notwithstanding the City Custom.

11 Geo. I.
c. 28.

In building Houses in *London*, &c. new Partition Walls are to be made, at Expence of Builders and Owners of adjoining Houses; and the Walls to be viewed, and Defects certified to Justices, who shall make Orders, &c. And Water falling from Houses, to be by Party Pipes on the Sides, on Pain of 10 *l.*

6 Geo. 2. c. 22. The Mayor, Commonalty and Citizens of *London*, to fill up *Fleet-Ditch*, and make the Soil level with Streets on each Side; and the Fee-simple is vested in them, and they may appropriate it to Uses, but not erect Houses, or Sheds above fifteen Foot high, &c. It is now a Market.

9 Geo. 2. c. 20. A convenient Number of Glass Lamps to be put up in proper Places in *London*, which shall be kept lighted and burning, from Sun-set to Sun-rising throughout the Year; and to defray the Charge, Rates to be made on Houses from 10 *l.* to 40 *l.* a Year or upwards, the lowest 7 *s.* and not above 20 *s.* per Annum, &c. And Aldermen of each Ward, and Common Council Men, may make Contracts for setting up the Lamps, and lighting, trimming and repairing, &c. Persons breaking down, or extinguishing any Lamp; Posts, Irons, &c. on Conviction before a Justice for the first Offence to forfeit 40 *s.* for

for the second 50 s. and the third 3 l. subject to Mitigation, not under a Moiety, leviable by Distress; and for want thereof be sent to the House of Correction, not exceeding three Months.

An Act for better regulating the nightly Constables, Beadles and Watchmen within the City of London and Liberties, to be under the Management of the Common Council, &c. 10 Geo. 2. c. 22.

See Engines to extinguish Fires in London, under Title Fire.

Longitude.

THIS Statute appoints the Lord High Admiral and several others, Commissioners for finding the Longitude at Sea, and that any five of them may receive Proposals for that Purpose; and if they are satisfied of the Probability of such a Discovery, the Commissioners of the Navy have Power to make Bills for any Sum not exceeding 2000 l. to make the Experiment. And the first Discoverer of a Method to receive 10,000 l. if it determines the same to one Degree of a Circle, 15,000 l. if it determines to two Thirds of that Distance, and 20,000 l. if it determines the same to one Half of a Degree. 12 Ann. Sess. 2. c. 85.

Lotteries.

3 & 6 W. &
M. c. 7.

THIS Statute grants a Duty on Salt, and additional Duties on Beer, Ale, Cyder, Brandy, &c. as a Fund to raise 140,000 *l.* a Week for Payment of 1,000,000 *l.* to be raised by Way of Lottery. Lottery Tickets 10 *l.* each, and to be in Number 100,000, whereof 2500 to be Benefits, amounting to 40000 *l.* *per Annum*. The fortunate Adventurers to have yearly Annuities for sixteen Years together, and those which are not fortunate, to have 20 *s.* *per Annum* for each Ticket, payable half-yearly, &c. Foreigners as well as Natives may contribute to advancing the Sum.

10 Ann. c. 19.

By this Statute the Duties upon Soap, Paper, chequer'd and strip'd Linens, and upon stamp'd Vellum, Parchment and Paper, are granted for thirty-two Years, as a Fund for raising two Millions 241,740 *l.* by Way of Lottery; and for clearing the Principal and Interest at 6 *per Cent*. Any Person may contribute by paying several Sums of 10 *l.* and shall for every such Sum be entitled to one Lot. Managers and Directors to be appointed, who shall meet at a publick Office, keep Books, deliver Tickets, &c. The Benefit-Tickets were one of 12000 *l.* another of 5000 *l.* a third of 4000 *l.* two of 3000 *l.* and 2000 *l.* each, ten of 1000 *l.* eighteen of 500 *l.* thirty of 200 *l.* and an hundred of 100 *l.* five hundred and sixty-four of 50 *l.* and nine thousand two hundred sixty-nine of 20 *l.* each. Adventurers to be intitled to the principal Sums of 10 *l.* and Interest, besides the Lots. Counterfeiting

feiting the Tickets, or altering the Number, made Felony.

Acts to raise Money to compleat the Sum of 1 Geo. I. c. 1,400,000 *l.* granted by a former Lottery Act; on the Fund of the Duty upon Soap, Paper, &c. And for raising 500,000 *l.* Tickets to be 5 Geo. I. c. 4. 3 *l.* each, and the Adventurers entitled to an Annuity of 4 *l.* *per Cent.* till redeemed.

The Sum of 700,000 *l.* to be raised by way 7 Geo. I. c. 20. of Lottery; Tickets 10 *l.* and 10,000 *l.* the highest Benefit: The Duty on Malt, &c. appropriated as a Fund. And to suppress private Lot- 8 Geo. I. c. 2. teries, Persons who set up Offices, &c. of Sales, or expose to Sale any Houses, Plate, Goods, by way of Lottery, Lots or Tickets, or publish Proposals, shall forfeit 500 *l.* and be committed to Prison for a Year: And Adventurers to forfeit double the Sums contributed.

A Statute for raising 763,350 *l.* by a Lottery 9 Geo. I. c. 3, on the Fund of the Duties upon Malt, &c. 19. Persons setting up Lotteries here by Grant from any foreign State, or disposing of Tickets therein, &c. incur a Forfeiture of 200 *l.* leviable by Warrant of two Justices of Peace, and shall be imprisoned till paid, &c.

Lottery Act to raise 1,000,000 *l.* the highest 12 Geo. I. c. 2. Benefit to be 20,000 *l.* and Blanks of 10 *l.* Tickets to have 7 *l.* 10 *s.* attended with Annuities after the Rate of 3 *l.* *per Cent.* *per Annum.* Deductions out of the Civil List Revenues, are a Security for paying the Annuities.

Act for raising 1,200,000 *l.* by way of Lot- 4 Geo. 2. c. 9. tery, on the Stamp-Duties upon Parchment and Paper, &c. And Annuities on Blanks to bear Interest at 3 *l.* *per Cent.*

264 **Lustring Company. Lunaticks, &c.**

- 6 Geo. 2. c. 35. Lottery Acts for raising Money to relieve Sufferers in the Charitable Corporation; and for
9 Geo. 2. c. 29. building the new Bridge at *Westminster*, &c.
-

Lustring Company.

- 9 & 10 W. 3. **BY** this Act the Royal *Lustring Company* erected by King *James* the Second for fourteen Years, and by 4 & 5 W. & M. incorporated with perpetual Succession for making and dressing Alamodes and Lustrings in *England*, is declared a Body Politick and Corporate; and the said Company to have the sole Benefit of making, dressing and lustrating Alamodes and Lustrings for fourteen Years, &c.
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Lunaticks, Ideots, &c.

- 17 E. 2. c. 9. **T**HE King to have the Custody of Lands of Ideots, finding them Necessaries, &c. and after the Death of such Ideots, rendring the Estates to the right Heir.
- 17 E. 2. c. 10. The King to take care the Lands of Lunaticks be preserved, and their Families maintained with the Profits, and that the Residue be kept for their Use, &c.
- 12 Ann. **Furious Lunaticks** wandering may be apprehended, and pass'd by Justices to the legal Place of Settlement, in the same Manner as Vagrants, Whipping excepted.

Ideots

Ideots and Lunaticks seized Lands in Trust, 4 Geo. 2. c. 10. &c. by Order of the Lord Chancellor, to make Conveyances of such Estates, as if they were of sound Mind. And may be compelled to convey as other Persons.

Maintenance.

NONE of the King's Officers shall maintain Pleas or Suits, in the King's Courts, for Lands, &c. under Covenant to have any Part of the same, or Profit therein: And Clerks of Justices, not to take Part in Quarrels, or delay Right, on Pain of treble Damages. Sheriffs shall not permit Barretors, or Maintainers, to make Suits. 3 E. 1. c. 25.

No Person to maintain Quarrels, to the Disturbance of the Common Law. 1 E. 3. c. 14.

Malt.

MALT to be three Weeks a making, except in June, July and August, and seventeen Days in those Months. Bad Malt not to be mingled with good, on Pain of forfeiting 2 s. per Quarter. Half a Peck of Dust to be taken out of every Quarter, on Pain of 1 s. 8 d. per Quarter. And Constables, &c. may search for faulty Malt, &c. 2 & 3 E. 6. c. 10.

By

8 & 9 W. 3. c. 22. By this Statute a Duty of *6 d. per Bushel* was granted on Malt, which by subsequent Acts has been yearly continued ever since. **Malsters** once a Month to make an Entry at the Excise-Office of all Malt made, under the Penalty of *10 l.* And to pay the Duty in three Months, or forfeit double Value. Officers of the Excise to enter and take Gauges, Malsters refusing to forfeit *5 l.* Malsters altering their steeping Vessels without giving Notice, or using private Cisterns, to forfeit *50 l.* Malt perishing by Fire or Water, the Duty to be repaid.

2 Ann. c. 2. Malsters concealing or conveying away Malt from the Sight of the Gauger, to forfeit *10 s.* a Bushel. Justices of Peace have Power to mitigate Penalties so as they be not reduced to less than double Duty, &c.

1 Geo. 1. c. 2. The Time of paying the Duty enlarged to four Months.

If any Master, &c. fraudulently mix unmalted Corn with Malt, he shall forfeit *5 s. per Bushel.*

6 Geo. 1. c. 20. Masters permitting Barley to be wetted on the Floor, or any where but in the Cistern entered, are liable to a Forfeiture of *2 s. 6 d.* a Bushel; and forcing down Barley in any Cistern to prevent its Rising, incurs the same Penalty.

12 Geo. 1. c. 4. Malt for Exportation not to be charged with Duty; but must be enter'd and kept separate, on Pain of forfeiting *50 l.* And when made shall be measured and put into Storehouses with two Locks, &c.

13 Geo. 1. c. 7. If Malt be brought from *Scotland*, it shall pay *3 d.* a Bushel to make up *6 d.* the *English* Duty, and be entered and Duty paid before Landing, &c. or shall be forfeited.

3 Geo. 2. c. 1. No Malster to mix Corn making into Malt of one Wetting, with that of a former, &c. before put

put on the Kiln for drying, on Pain of 5 s. a Bushel.

Allowance to be made Malsters for exporting 3 Geo. 2. c. 7. Malt, on Certificates of Custom-house Officers, and Security given not to reland it; but if landed in any Part of Great Britain, it shall be forfeited, and treble Value, &c.

Malsters to give Notice to Officers of Excise of 5 Geo. 2. c. 1. Malt made for Exportation, and of the Hour they take it off the Kiln, that an Officer may attend the Measuring, &c. And removing Malt, without the Officer's Knowledge, to forfeit 100 l.

Makers of Malt to be exported, for every 20 6 Geo. 2. c. 1. Quarters of Barley made into Malt, shall be allowed 30 Quarters when dried, &c. And Exporters to produce a Certificate from the Officer with whom enter'd, of the Sum they are entitled to, according to that Allowance: This Malt to be cleared out of Storehouses every nine Months, &c. on Pain of 50 l.

Acts continuing Malt Duties, with like Clauses 7, 8 & 9 as by former Statutes, concerning Malt made for Geo. 2. c. 1. Exportation; and Clause of Loan of 7,500,000 l.

Mandamus.

PROCEEDINGS on a *Mandamus* to be in Nature of Action on the Case of a false Return. 9 Ann. c. 20. Persons intruding into the Office of Mayor, Bailiff, &c. in any Corporation, &c. a *Quo Warranto* may be brought against the Usurper, &c. and if the Defendant be found guilty of an Usurpation, the Court to give Judgment of Ouster, and

Marriage and Matrimony.

and fine the Offender, &c. The Statutes of *Jeofails* to extend to Writs of *Mandamus*, &c. No Person to execute an annual Office for more than one Year, and obstructing the Chusing of another incurs a Penalty of 100 *l*.

Marriage and Matrimony.

52 *H. 8. c. 38.*

ALL Marriages are lawful, not prohibited by God's Law.

2 & 3 *E. 6. c. 21.*

Laws, Canons, &c. prohibiting Marriage to Spiritual Persons declared void.

12 *Car. 2. c. 33.*

Marriages in the Time of *Oliver's* Administration, before Justices of Peace, or by any Ordinance of Parliament confirmed.

7 & 8 *W. 3. c. 35.*

Parsons, Vicars, or Curates, marrying any Person without Publication of the Banns of the Matrimony, or without License to forfeit 100 *l*. Parsons employing other Ministers to do it, liable to the same Penalty. And Persons married to forfeit 10 *l*. and the Clerk of the Parish 5 *l*.

10 *Ann. c. 19.*

This Act is to the same Effect as the preceding, and extends likewise to privileged Places, so that if an Offender be a Prisoner in any Place, on Conviction, &c. he shall be removed to the County Gaol, there to remain in Execution charged with the Penalty of 100 *l*. And Gaolers knowingly permitting Marriages, to forfeit 100 *l*.

Marrying a second Husband or Wife, the first living; or stealing a Woman, Felony.

See Title *Felony*.

Martha's Sea.

Marshalsea.

THE Stewards and Marshals of the King's ^{28 E. 1. c. 3.} House not to hold Plea of Freehold, Debt, Covenant or Contract, but only of Trespafs within the Verge; or of Contracts and Covenants when both Parties are of the House.

The Jurisdiction of the Steward and Marshal ^{13 R. 2. c. 3.} of the King's House is by this Statute limited to twelve Miles from the King's Lodging.

Error in the *Marshalsea* Court may be remov'd ^{10 E. 3. c. 2.} by the Plaintiff into *B. R.*

The Fees of the *Marshalsea* to be as follows, ^{2 H. 4. c. 23.} 4 *d.* for a Person coming in by *Capias*, and if he be bail'd 2 *d.* more; of the Defendant that findeth Bail to answer 2 *d.* for every Commitment 4 *d.* and for every one delivered or bailed for Felony, 4 *d.*

Marshes and Fens.

AN Act for draining the Fens and low Grounds ^{4 Jac. 1. c. 13.} in the Isle of *Ely*, in *Cambridgeshire*.

This Statute ordains the Draining of *Bedford* ^{15 Car. 2. c. 17.} Level: The Earl of *Bedford* and other Adventurers made a Body Politick, consisting of a Governor, Bailiffs, Conservators, &c. with Power to impose Taxes at so much *per Acre* on the Marsh-Ground. Works to be erected; Cutting through them, incurs treble Damages, and laying open Inclosures 20 *l.* Forfeiture.

Deeping

- 16 & 17
Car. 2. *Deeping Fens in Lincolnshire to be drained by this Act.*
- 11 Geo. 2. c.
34, & 39. *Acts for the effectual draining and preserving Fens in the Isle of Ely and of Deeping Fens; Commissioners to charge Proprietors with a proportionable Acre Tax, from 5 s. to 2 s. And for Deeping Fens at the Rate of 20 s. an Acre; and they may borrow Money thereupon, for maintaining and effecting the Works, &c.*
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Merchants and Merchandize.

- 9 H. 3. c. 30. **M**erchant-Strangers to have safe Conduct coming into, going out of, and remaining in *England*, to buy and sell, &c. except in Time of War.
- 14 E. 3. c. 2. All Merchants (except Enemies) may safely come into *England* with their Goods and Merchandizes.
- 27 E. 3. c. 3. All Merchants may buy Merchandize of the Staple.
- 27 E. 3. c. 17. No Merchant to be impleaded for another's Debt and Trespass, where he is not Debtor, Pledge, &c. Alien Merchants to have forty Days Notice to sell their Effects and depart, on any Difference with a Foreign State.
- 38 E. 3. c. 2. Any Merchant may deal in more Merchandizes than one.
- 5 R. 2. c. 1. By this Statute Merchant-Strangers may come into this Realm and depart at their Pleasure, and they are to be friendly entertained.
- 4 H. 4. c. 15. Merchants not to export Money received for Merchandize imported.

Merchant-Strangers to employ their Money on 5 H. 4. c. 9.
the Commodities of this Realm.

Italian Merchants to sell their Merchandize at 1 R. 3. c. 9.
the Port where they land in Gross, and not by
Retail, on Pain of Forfeiture.

Merchandize to be laden and unladen in the 1 El. c. 11.
Day-time, under the Penalty of 5 l. and at Places
appointed.

No Persons shall bring into this Kingdom from 5 Eliz. c. 7.
beyond Sea, any Girdles, Harness, Rapiers,
Daggers, Knives, Hilts, Handles, Scabbards,
Stirrups, Bits, &c. ready wrought, to be sold,
or exchange'd here, in Pain to forfeit them or the
Value.

This Statute gives Power to the Lord Chancel- 43 El. c. 12.
lor to award a Commission for determining Cau-
ses relating to Policies of Insurance in *London*, en-
tered in the Insurance-Office. The Commission
to be directed to the Judge of the Admiralty, the
Recorder, two Doctors of the Civil Law, two
Common Lawyers, and eight Merchants.

All the King's Subjects to have a free Trade 3 Jac. 1. c. 6.
to and from *France, Spain* and *Portugal*.

This Statute makes it lawful for Merchants to 12 Car. 2.
transport Iron, Armour, Bandeliers, Pistols, Swords, &c. 4
&c.

None to sell, import or export Foreign Bone- 13 & 14
lace, Imbroidery, Fringe, &c. under the Penal- Car. 2. c. 13.
ty of 50 l. selling, and 100 l. for importing, and
also Forfeiture of the Goods.

This Act enlarges the Power of Commissioners 13 & 14
for determining Differences arising from Policies Car. 2. c. 23,
of Insurance in *London*.

Merchants, &c. selling Wines by Wholesale or 1 W. & M.
Retail, who shall corrupt or adulterate the same, Sess. 1. c. 34.
or utter any adulterated Wine, to forfeit 300 l.

An

- 12 *Ann. c. 8.* An Allowance of 8 *per Cent.* is made to Merchants out of the Duty on Tobacco on Importation, and 25 Pounds in a hundred for damag'd Tobacco, &c.
- 9 *Geo. I. c. 21.* By this Act Merchants to have other Allowances, and 25 *l. per Cent.* for prompt Payment of Duties, or 15 not paying them down.

Militia.

- 13 *Car. 2. c. 6.* **T**HIS Act is declarative of the King's Right to the supream Government of the Militia, and of all Forces by Sea and Land, &c.
- 13 & 14
13 *Car. 2. c. 3.* By this Act the King may issue Commissions of Lieutenancy for the several Counties, and Cities of *England*, and the Lieutenants or Deputies may charge any Person of 500 *l. per Annum*, or who is worth 6000 *l.* in Goods or Money, with a Horse, Horseman and Arms; and Persons having 50 *l. per Annum*, or 600 *l.* in Goods, with a Foot-Soldier. Estates under 100 *l.* a Year, and personal Estates, &c. under 1200 *l.* not to contribute to a Horse. Lieutenants, &c. to require 2 *s.* a Day for Troopers, and 1 *s.* a Day for a Foot-Soldier; may imprison Mutineers, &c. inflict Penalties, &c. General Musters to be but once a Year, and for training single Companies four Times a Year. Every Musqueteer to have a Musket three Foot long in the Barrel, &c. to bring Half a Pound of Powder; Horseman a Quarter of a Pound, &c. Persons charged not compellable to serve in Person.

Persons

Persons charged to allow 2 s. 6 d. per Day for 15 Car. 2. each Trooper, on Pain of 5 s. and 1 s. to a Foot-Soldier, on Pain of 2 s. The Lieutenants or Deputies may inflict a Penalty of 5 l. on Persons refusing to provide a Foot-Soldier; and appoint Constables to provide, &c. Every Soldier once a Year to Pay his Muster-Master, if a Horseman, a Sum not exceeding 1 s. if a Footman, 6 d. to be levied by Distress. None having Estates of 200 l. per Annum, or personal Estates of 2400 l. Value, chargeable with Foot.

These Acts were made for raising the Militia 2 W. & M. in each Year. And if the King draws out the 3 W. & M. Militia into actual Service, the Persons charged to provide each their Soldier a Month's Pay in Hand.

All like Acts for annual raising the Militia, and 4, 5, 6, 7, by the last the Lieutenancy are to find Persons 8 W. 3. for Papists, charging them with 8 l. a Year for a Horseman, and 30 s. for a Foot-Soldier, to be levied by Distress, &c.

All Statutes for raising the Militia in each Year, 9, 10, 11, altho the Month's Pay formerly advanced be not 12 W. 3. paid.

These Statutes were likewise made for the 1, 2, 3, 4, yearly raising of the Militia. 5 & 6 Ann.

Likewise Acts for raising the Militia annually; 7, 8, 9, 10, and the 10 Ann. requires Persons in Dorsetshire to 11 & 12 account for Monies received for raising the Militia Ann. on King William's landing in the West undisposed.

All Acts for raising the Militia; the first where 1, 2, 3 & of requires that Horsemen be provided with a 4 Geo. 1. broad Sword, Case of Pistols of twelve Inches long in the Barrel, a Carabine with Belt and Bucket, great Saddle, &c. And Foot-Soldiers 1 Geo. 1. c. 14. with

Mines and Mine-Adventurers.

with a Musket five Foot long in the Barrel, the Gage of the Bore for Bullets of 12 to the Pound, with a Bayonet to fix in the Muzzle, a Cartouch-Box and Sword.

7 Geo. 2. c.
23.

Persons empower'd when required, are to raise, draw out and march such Part of the Militia, as shall be most ready, &c. and Pay advanced by those chargeable, to be repaid in six Months, by Assessment through the whole County, City, &c. But no Person obliged hereafter, to advance more than one Month's Pay, 'till that is paid by his Majesty, &c.

Mines and Mine-Adventurers.

1 W. & M.
c. 30.

NO Mine of Copper, Tin, &c. to be adjudged a Royal Mine, though Silver, &c. be extracted.

3 W. & M.
c. 6.

Persons having Mines of Copper, Tin, &c. to enjoy them though claimed to be Royal Mines, but the King may have the Oar (except in *Devon* and *Cornwall*) paying to the Owners 16 *l.* per Ton for Copper, Oar having Tin in it 40 *s.* a Ton, Lead 9 *l.* per Ton, &c.

9 Ann. c. 24.

By this Statute all Grants, Contracts, Bargains, Leases, &c. made of Mines by the Governor and Company of *Mine-Adventurers*, since they stop'd Payment of their Bills, declared void; and new Shares above the 6012 Shares allowed by their Charter to be void. Creditors of the Company to be Partners with the Proprietors of the 6012 Shares. Every Member having in his own Right five Shares, and Creditors for the Sum of 100 *l.*

to assemble and choose a Deputy-governor and twelve Directors, each having twenty Shares, or an Annuity from the Company of 24 *l. per Ann.* or being Creditor for 400 *l.* After the Death of the Duke of *Leeds*, the present Governor, Governors to be yearly chosen, having ten Shares, Deputy-governors six, and Directors having four Shares. The Duke of *Leeds* not subject to any Attendance, &c.

If any Person shall maliciously set on Fire any *10 Geo. 2. c. 2* Mine, &c. he is to suffer Death as a Felon. 32.

Mint.

Persons within the *Mint*, a pretended Place of *9 Geo. 1. c. 1* Privilege, obstructing Execution of Writs, 28. &c. to be guilty of Felony; so if they exercise any unlawful Jurisdiction: And the Sheriff may raise the *Posse* to enter the said Place, and make Arrests, &c.

The Poor Minters delivering up their Effects on Oath, discharged by Justices of Peace.

Mint for Coinage. See **Coin.**

Monasteries, Abbeyes, &c.

BY this Statute all Monasteries, Priories, &c. *27 H. 8. c. 1* not above the Value of 200 *l. per Annum* 28. were given to the King; who sold the Lands at low Rates to the Gentry; and *29 H. 8.* the rest

Money. Monopolies.

of the Abbots, &c. made voluntary Surrenders of their Houses to obtain Favour of the King. *Anno* 31 *H.* 8. a Bill was brought into the House to confirm those Surrenders, which passing, compleated the Dissolution, except the Hospitals and Colleges which were not dissolved; the first till the 32d, and the last till the 37 *H.* 8. and Commissioners were appointed to enter and seise the said Lands, &c.

Money.

20 *E.* 1.
9 *E.* 3.
4 *H.* 4.

Money not to be traffick'd with. Nor shall it be exported but by License, upon Pain of Forfeiture, by antient Statutes.

3 *Geo.* 2. c. 5.

The King by Proclamation may prohibit his Subjects to lend Money, &c. to any Foreign Prince without Licence; and after, if any Person knowingly offend, he shall forfeit treble Value of the Money lent: But not to affect Persons interested in Banks abroad, &c. established before.

See Coin.

Monopolies.

21 *Jac.* 1. c. 3.

ALL Monopolies and Commissions for the sole Buying, Selling and Making, &c. of Goods, Manufactures, &c. declared void; and Persons grieved thereby to recover treble Damages and Costs.

Costs. But this Act not to extend to Inventors of new Manufactures, who have Patents or Grants for Terms of Years, nor to any Grant of Privilege for Printing, or to Corporations, Companies of Trade, &c.

And by this Statute all Letters Patent made for *2 W. & M.* the sole Making of Brandy, &c. from Corn of *5 ff. 2. c. 9.* any Sort, as a new Invention, are made void.

Mortdancesfor.

BY this Act the Writ of *Mortdancesfor* is to be *9 H. 3. c. 12.* taken in the proper County.

By this Statute, if the Lord would not render *52 H. 3. c.* to the Heir his Land at full Age, the Heir to re-¹⁶cover by Assise of *Mortdancesfor*.

And if a Person die having many Heirs, the *6 E. 1. c. 6.* next Heir shall recover against others a farther Degree off, by *Mortdancesfor*.

Damages to be awarded in all Cases on Reco- *6 E. 1. c. 1.* very by *Mortdancesfor*.

Mortgages.

Mortgages that are made *bona fide*, not with- *27 Eliz. c. 4.* in the Statutes relating to fraudulent Conveyances.

If where Lands are mortgaged, the Mortgagor *4 & 5 W. &* make a second Mortgage thereof, and doth not *M. c. 16.* discover to the Mortgagee the first Mortgage,

he shall forfeit his Equity of Redemption of the Lands; and the second Mortgagee to redeem, &c.

- 7 Geo. 2. c. 20. When any Action of Ejectment is brought for recovering mortgaged Lands, &c. if the Person having Right to redeem, pay the Mortgagee, or bring into Court all the principal Money, Interest and Costs, it shall be a full Satisfaction of the Mortgage; and the Mortgagee to reconvey the Land, and deliver up Deeds, &c. And on a Bill in Chancery to foreclose the Equity of Redemption, the Court may make Orders on the Defendant's Application, before the Cause brought to Hearing.

Mortmain.

Mag. Chart. 36. 2 H. 3. IF any Person shall give Lands to a religious House, the Grant to be void, and the Land forfeited.

7 E. 1. Where Lands are alienated in Mortmain to a religious Person, the King or other immediate Lord may enter within a Year.

13 E. 1. c. 32. Ecclesiastical Persons debarred to obtain Lands in Mortmain by Alienation, fraudulently obtaining them by Default in a Suit, &c. it shall be inquired by the Country, whether the Demandant had a just Title.

27 E. 1. The King's License to be had for amorrising of Lands, and the Writ *ad quod damnum* shall issue out of the Chancery to enquire concerning the same.

Prelates,

Prelates, Clerks, &c. not to be impeach'd for ¹⁸ E. 3. c. 3. purchasing Lands in Mortmain, on producing the King's Charter of License obtained for the same, &c.

Grants made of Lands, &c. for the Use of any ²³ H. 8. c. 10. Church, &c. or for continual Service of a Priest, &c. for ever, or for sixty Years, to be void. But such Uses may be made for twenty Years.

Churches may be united by the Consent of ¹⁷ Car. 2. c. 3. the Diocesan, Patron, and chief Officers of any Place, &c. And Owners of Impropriations, Tithes, &c. may annex the same to the Parsonage, without any License of Mortmain.

This Statute gives the King Power to grant ^{7 & 8} W. 3. any Person or Bodies Politick, &c. License to ^{c. 37.} alien in Mortmain, and to purchase and hold Mortmain in Perpetuity, &c.

Corporations for the First-fruits settled by this ² Ann. c. 11. Act for the Maintenance of poor Clergy, to hold and enjoy without License in Mortmain, &c.

No Lands, &c. to be given to any Bodies Politick for charitable Uses, &c. unless done by Deed sealed twelve Months before the Death of the Donor, and inrolled in six Months; and except it be to take Effect immediately, and without Power of Revocation, &c. But not to extend to the two Universities, &c.

Mortuaries.

Spiritual Persons not to take for Mortuaries ²¹ H. 8. c. 6 more than ^{3 s. 4 d.} where the Goods of the Deceas'd exceed not ^{30 l.} Value; above ^{6 s. 8 d.}

T 4

where

where they are exceeding that, but not 40 *l.* nor more than 10 *s.* when they amount to 40 *l.* and upwards. And the Bishops of *Bangor, Landaff, St. David's, &c.* may take Mortuaries of Priests.

12 *Ann. c. 6.* The Mortuaries due from Priests taken away.

Murder.

52 *H. 3. c. 25.* **M**urder not to be adjudged when it is found by Misadventure, but where it is done with a felonious Intent,

3 *H. 7. c. 1.* Offenders for Murder and Accessaries being indicted, to be arraigned at any Time within the Year, at the King's Suit; and if the Principal or Accessary be acquit, yet the Justices shall not suffer them to go at large, but either remand them to Prison, or let them be bailed, until the Year and Day be out, allowed for an Appeal.

24 *H. 8. c. 5.* If any be indicted, &c. for the Death of a Person attempting to murder him, rob, or commit Burglary, he shall forfeit no Lands, but be acquitted.

2 & 3 *E. 6. c. 24.* A Person wounded, &c. in one County, and dying in another, the Offender to be indicted in the County where the Party dies.

10 & 11 *W. 3. c. 25.* All Murders, Felonies, &c. on the Land in *Newfoundland*, or in any of the Islands there (heretofore triable before the Lord High Constable and Marshal) to be tried in any County in *England* by the King's Commission of Oyer and Terminer.

11 & 12 *W. 3. c. 19.* All Murderers and Felons to be imprisoned in the Common Gaol.

Where

Where any Person wounded on the Sea, or 2 Geo. 2. c. 21.
out of *England*, dies of it here; or shall be
struck, &c. in *England*, and die at Sea, or in
some other Country, Indictment may be found
by Jury of the County where the Death or
Stroke, &c. is, and there the Offence tried.

Naturalization.

NO Person to be naturalized until he has re- 7 Jac. 1. c. 2.
ceived the Sacrament, and taken the Oaths
of Allegiance and Supremacy.

Persons born out of the King's Dominions, 29 Car. 2. c. 6.
whose Parents were natural-born Subjects, from
1640 to 1660, declared naturalized, as if born
in *England*.

Natural-born Subjects having Children out of 9 & 10 W. 3.
his Majesty's Dominions during the late War, c. 20.
declared natural-born Subjects, &c.

Children of natural-born Subjects, born a- 7 Ann. c. 5.
broad; and all Persons born out of the Queen's
Allegiance, taking the Oaths, &c. in the Courts
at *Westminster*, &c. deemed natural-born Subjects,
&c. But by Stat. 10 Ann. c. 5. this last Part of
the Statute is repeal'd, but not to prejudice Per-
sons naturalized.

Persons naturalized since the King's Accession 1 Geo. 1. c. 4.
to the Crown, or at any Time hereafter, not
to be of the Privy Council, Members of Parlia-
ment, or capable of any Office, &c.

Protestant *Palatines* in *Ireland*, declared na- 1 Geo. 1.
turalized. c. 29.

The

Naval Stores.

4 Geo. 2.
c. 21.

The Children of natural Subjects born out of Allegiance, held to be natural-born Subjects: But this not to extend to Children of Parents attainted of Treason, &c. except they have resided here two Years, and professed the Protestant Religion.

7 Geo. 2. c. 4.
9 Geo. 2.
c. 28.

Acts for naturalizing the Prince of *Orange*; and the Princess of *Wales*, without the Clause in the Act 1 Geo. 1. and without receiving the Sacrament, or taking the Oaths, &c.

Naval Stores.

22 Car. 2.
c. 5.

Persons feloniously stealing or imbezilling any of the King's Naval Stores to the Value of 20 s. not to have Clergy.

9 & 10 W. 3.
c. 41.

None but the Contractors with the Commissioners of the Navy, &c. shall make any Stores of War, Naval Stores, &c. with the Marks commonly used to his Majesty's Stores, upon Pain of forfeiting 200 l. Persons in whole Custody such Stores shall be found concealed, liable to the same Penalty.

3 Ann. c. 10.

Persons importing directly from the Plantations in *America* any Naval Stores, shall have as a *Premium*, paid by the Commissioners of the Navy, for Masts, &c. 1 l. per Ton, Tar and Pitch 4 l. per Ton, Rosin 3 l. and Hemp 6 l. a Ton. No Persons in the Colonies of *New Hampshire*, *Massachusetts Bay*, *Rhode Island*, *Providence*, *Connecticut* in *New England*, *New York* and *New Jersey*, to cut any Pine, Pitch or Tar Trees, not being within any Fence, under the Growth of twelve Inches Diameter, three Foot

Foot from the Earth, on Pain of 5 *l.* Setting Fire to Pitch, Pine or Tar-Trees to forfeit 10 *l.*

By this Act the Penalty is made 100 *l.* for 9 *Ann. c. 11.* cutting Pine-Trees fit for Masts in the Plantations, not being the Property of any private Person, such Trees being of the Growth of twenty-four Inches Diameter, at twelve Inches from the earth.

This Act grants the same *Premiums* for Masts, 12 *Ann. c. 9.* Pitch, &c. imported from *Scotland*, as. 3 *Ann. c. 10.* appoints for Naval Stores imported from *America*.

The Treasurer and Commissioners of the 1 *Geo. 1.* Navy, &c. to enquire of Naval Stores imbezil- a 25. led, and authorize Persons to search for them as Justices of Peace in Cases of Felony; and being under 20 *s.* Value, shall imprison and fine the Offenders, not exceeding double Value.

Premiums allow'd by 3 *Ann.* for importing 8 *Geo. 1.* Naval Stores continued; and Deals, Timber, c. 12. &c. to be imported Custom-free. No Persons within the Colonies of *Nova Scotia*, new *Hampshire*; &c. in *America*, shall cut or destroy White Pine-Trees, without License, under divers Penalties from 5 *l.* to 50 *l.* according to the Largeness of their Growth.

The Statute 1 *Geo. 1.* made perpetual: And 9 *Geo. 1.* any Judge or Justice, before whom Persons shall c. 8. be convicted of concealing or detaining Stores, &c. may commit them to Gaol till Payment of the Forfeiture, &c.

Persons shall not cut any White Pine-Trees, 2 *Geo. 2.* except the Property of Private Persons, without c. 35. the King's License, in New *Hampshire*, &c. And cutting such Trees in the Province of the *Masachusetts*'s Bay, or New *England*, of the Diameter of

of twenty-four Inches, at twelve Inches from the Ground, to be liable to the Penalty in the Act 8 Geo. 1.

Stat. Ibid.

The *Premiums* on Importing Naval Stores by this Act to be 1 *l.* per Ton for all Masts, &c. 2 *l.* 4*s.* for Tar, 1 *l.* a Ton for Pitch, &c. And the like *Premium*, for Masts, &c. imported from North Britain.

Nisi Prius.

- 13 E. 1. c. 30. Justices to be assigned to take Assises of Novel Disseisin, &c. and have in their Circuits Clerks to inroll all Pleas, &c.
- 12 E. 2. c. 4. Justices of *Nisi prius* have Power to record Nonsuits and Defaults, &c. in the Country at the Days assigned, and are to report them in the Bench, &c.
- 4 E. 3. c. 11. Justices of the Assise and of *Nisi Prius* to hear and determine Conspiracy, Confederacy, Champerty, &c. And by 5 E. 3. *Nisi Prius* shall be granted in Attaints; but that which cannot be determined before the Justices upon the *Nisi Prius*, shall be adjourned to the Bench where they are Justices.
- 14 H. 6. c. 1. Justices of *Nisi Prius* are impowered by this Act to give Judgment in Felony and Treason, and award Prosecution.
- 18 Eliz. c. 12. The Chief Justice of England, Chief Justice of the Common Pleas, and the Chief Baron of the Exchequer, upon Issues joined in their several Courts, are made Justices of *Nisi prius* for the

the County of *Middlesex*, and may sit in *Westminster-Hall*, &c.

In Absence of the Chief Justices, any other ^{12 Geo. 1.} of the Judges as Justices of *Nisi prius* for *Mid-* ^{c. 31.} *lesex*, within the Term or eight Days after, are to try all Issues, &c.

Nolle Prosequi.

IF a Person against whom an Information shall ^{4 & 5 W. &} be exhibited for Trespass, Battery, &c. in ^{M. c. 18.} the Crown-Office, appear and plead to Issue, and the Prosecutor do not within a Year after Issue joined procure a Trial, or if upon such Trial a Verdict pass for the Defendant, or the Informer procure a *Nolle Prosequi* to be entered, the Court shall award the Defendant Costs, unless the Judge certifies that there was reasonable Cause for the Information.

Nonjurors.

PERsons maintaining that an Oath is unlaw- ^{13 & 14} ful, or refusing to take Oaths enjoined by ^{Car. 2. c. 1.} Law, &c. to forfeit *5 l.* for the first Offence, *10 l.* for the second, and be imprisoned six Months, and for the third Offence to abjure the Realm.

Parsons, Vicars, Ecclesiastical Persons, &c. not ^{17 Car. 2. c. 2.} taking the Oaths, and giving their Consent to the

the Declaration 14 Car. 2. c. 4. not to preach, under the Penalty of 40 l. nor teach School, under the same Penalty. But by Statute 1 W. & M. c. 18. Protestant Dissenters are exempted.

1 W. & M.
Sess. 1. c. 8.

In this Act there is a Clause that the King may grant such of the Clergy as refuse to take the Oaths he shall think fit, not above twelve, an Allowance out of their Ecclesiastical Benefices, for their Subsistence, not exceeding a third Part.

7 & 8 W. 3.
c. 27.

Persons refusing to take the Oaths, to incur, forfeit and suffer the Penalties inflicted on Popish Recusants Convict, and the Court of Exchequer may issue out Process against their Lands and Goods, &c.

9 Geo. 1.
c. 24.

To register their Estates as Papists, on Pain of Forfeiture, &c. See **Papists**.

Norwich.

7 E. 4. c. 1.

Worsted Weavers in *Norwich* yearly to choose Wardens, who have Power to survey Work, and make Ordinances for Amendment, &c. Defective Stuffs shall be forfeited, and those well made marked and sealed, &c.

14 & 14
Car. 2. c. 5.

Persons using the Trade of making *Norwich* Stuffs, not having served as Apprentice seven Years, incur 40 s. a Month Penalty.

9 Geo. 1. c. 9.

All Manufacturers or Makers of Stuffs, not Journeymen, &c. may be made Freemen of *Norwich*; and Persons that use Trades not being free, to forfeit 10 l. for every Month.

3 Geo. 2.
c. 8.

Act for regulating Elections of Members of Parliament, Mayors, Sheriffs, Aldermen, &c. in the

the City of *Norwich*: Oath to be made by the Electors that they have been twelve Months admitted Freemen, &c. And no Acts of Common Council shall be valid, without Assent of the Mayor, Sheriffs, and Aldermen.

Officers are to administer the Oaths to Voters at Elections, under the Penalty of 50*l*.

Nuisance.

A Writ of Nuisance shall be granted as well 13 E. 1. c. 24. against the Alience, as against the Party that levied it.

All Writs of Nuisance called *Viscontiel*, to be 6 R. 2. c. 3. made at the Election of the Plaintiff, determinable before the Justices of either Bench.

None shall cause any Garbage, Dung, &c. to 12 R. 2. c. 13. be cast into Ditches, &c. within or near any Town, or the Suburbs thereof, on Pain of Punishment by the Lord Chancellor at Discretion, as a Nuisance.

Making, selling, or exposing to Sale, any 9 & 10 W. 3. Squibs, Rockets, Serpents, or other Fire-works, &c. c. 7. adjudged a common Nuisance.

Unlawful Stockjobbing, is declared a Nuisance, 6 Geo. 1. by this Act. And Annoyances of Highways, &c. c. 18. or in erecting Buildings, &c. Bawdy-houses, and Gaming-houses, &c. are Nuisances.

Oaths.

Oaths.

Mag. Chart.
Total 164.

BY *Magna Charta* the Oaths of the King, the Bishops, the King's Counsellors, Sheriffs, Mayors, Bailiffs, &c. were appointed.

18 E. 3. c. 1. This Statute obliges Judges to take the Oaths to do Right to all without Respect of Persons.

1 Eliz. c. 1. By this Statute Ecclesiastical Persons are required to take the Oaths of Supremacy, &c.

13 Car. 2.
c. 1. By this Act Persons are to take the Oaths, receive the Sacrament, &c. to qualify them to bear any Office of Magistracy in a Corporation.

13 Car. 2.
c. 6. Officers of the Lieutenantcy and Militia by this Statute are required to take the Oaths.

25 Car. 2.
c. 2. All Persons that shall bear Office Civil or Military, or receive any Salary, &c. from the King, to take the Oaths of Allegiance and Supremacy; Persons refusing disabled, &c.

1 W. & M.
Sess. 1. c. 6. This Statute regulated the Coronation Oath for King *William* and Queen *Mary*, and ordered it to be administered to future Kings and Queens.

1 W. & M.
Sess. 1. c. 8. By this Act the Oaths of Allegiance and Supremacy are abrogated, and others appointed to be taken by Officers Civil and Military, Ecclesiastical Persons, &c. on Pain of Disability, &c.

7 & 8 W. 3.
c. 27. This Act was made for enforcing 1 W. & M. in Respect to taking the Oaths, and the Association entered into for King *William* declared lawful, &c. Quakers subscribing Declaration of Fidelity exempted from Penalties.

13 W. 3. c. 6. All that bear any Office Civil or Military, or receive any Salary, &c. under his Majesty, or the Prince or Princess of *Denmark*, Ecclesiastical Persons, Members of Colleges, Schoolmasters, Preach-

ers, Serjeants at Law, Counsellors, Attornies, Solicitors, Proctors, Advocates, &c. to take the Oath of Abjuration, &c. Persons neglecting or refusing, incapable to execute Offices and Employments, disabled to sue in Law or Equity, or to be Guardian, Executor, &c. and to forfeit 500*l*. This not to extend to Constables, and other Parish-Officers, nor Bailiffs of Manors, &c.

This Statute obliges the receiving the Abjuration-Oath with Alterations. 1 Ann. c. 22.

By this Act the Oath of Abjuration is settled 4 Ann. c. 8. after the Death of her Majesty without Issue.

This Statute requires the taking the Oath of Abjuration, with further Alterations, under Penalties 13 W. 3. c. 6. And it extends to the Members of both Houses of Parliament, voting before they take the Oaths; and to Electors of Members, who refusing shall be disabled to vote, &c. Two Justices of Peace may tender the Oaths to suspected Persons; and if they refuse to take them, being certified into Chancery, they shall be adjudg'd Popish Recusants. 1 Geo. 1.

Oaths to the Government may be taken by 10 Geo. 1. Jews, leaving out the Words *on the true Faith of a Christian*.

See Papists, and Recusants.

Obligations.

Obligations entered into by Duress, &c. 1 R. 27
 To Sheriffs for Appearance otherwise than 23 H. 6.
 at the Day in the Writ. c. 10.

U

Not

- 28 H. 8. c. 5. Not to exercise Trades and Professions.
 13 Eliz. c. 5. To avoid the Debt and Duty of others.
 16 Car. 2. And when obtained by Gaming, in all these Cases are void.
-

Officers.

- 12 R. 2. c. 2. **O**fficers not to be made by the Chancellor, Treasurer, &c. for any Gift, Favour, or Brocage, &c.
 2 H. 6. c. 10. All Officers made by the King's Letters Patent within his Courts to be sworn to appoint such Clerks and Ministers under them, as they will answer for at their Peril, and such as are sufficient.
 5 & 6 E. 6. c. 16. This Statute prohibits the Sale of Offices, concerning the Administration of publick Justice, on Pain of Forfeiture, and Contracts to be void, &c.
 25 Car. 2. c. 2. This Act was made to oblige all Persons bearing Offices Civil or Military, &c. to take the Oaths, as already observed in Oaths.
 7 & 8 W. 3. c. 27. This Act enjoins all Persons bearing Offices Civil or Military, to subscribe the Association, to stand by King William, on Pain of Forfeitures and Penalties, &c.
 1 Ann. c. 2. No Person that hath forfeited any Office to which another is preferred, shall be restord to such Office.
 12 Ann. c. Officers to receive the Sacrament of the Church, and not go to Conventicles, &c.

Persons

Ordinaries.

291

Persons continuing in Offices six Months, on ^{1 Geo. 2. c. 3.} Demise of the King, not obliged to take usual Oath of Office.

Officers allowed further Time to take Oaths ^{6 Geo. 2. c. 4.} and receive the Sacrament; and for future to ^{9 Geo. 2.} take them in six Months after admitted to any ^{c. 26.} Office, on Pain of Disability, &c.

Ordinaries.

WHere an Intestate dies in Debt, and the ^{13 E. 1.} Goods come to the Ordinary to be disposed, the Ordinary to satisfy the Debts as far as the Goods extend, as an Executor would do.

Temporal Justices not to make Enquiry of ^{18 E. 3. c. 6.} Process awarded by the Spiritual Judges.

By this Statute the Ordinary may counterplead ^{25 E. 3. c. 7.} the King's Title in respect to Presentation.

The Ordinary to punish Incontinency of ^{1 H. 7. c. 4.} Priests, by Imprisonment, according to the Trespas committed.

Ordinaries are to certify Bastardy, &c. and ^{9 H. 6. c. 11.} have Power concerning Questions of Tithes, ^{27 H. 8. c. 20.} that shall be in Debate before them: Also Al- ^{23 Eliz. c. 1.} lowance of Schoolmasters, &c. ^{1 Jac. 1.}

See **Abbottson.**

Orphans.

- 5 & 6 W. & M. c. 10. **T**HE Lands, Markets, Fairs, &c. belonging to the City of *London* (except such as belong to Hospitals, and are liable to the Repairs of *London Bridge*) chargeable for ever for raising 8000 *l. per Annum*, to be appropriated for a perpetual Fund for Orphans. And for the raising such a Fund, the Common Council may assess 2000 *l.* yearly upon the personal Estates of Inhabitants, and distrain for the same, &c. Every Apprentice to pay 2 *s.* 6 *d.* when he is bound, and 5 *s.* when he is admitted a Freeman. And 4 *s.* per Ton upon Wine is granted for the Increase of the Fund. The Fund to be applied for Payment of Debts due to Orphans by Interest after the Rate of 4 *per Cent.* for ever. Debts of the said Orphans assigned, redeemable on Payment of Principal and Interest at 8 *per Cent.* No Person compellable to pay into the Chamber any Sum of Money, &c. belonging to any Orphan of a Freeman.
-

Oil.

- 3 H. 8. c. 14. **T**HE Lord Mayor of *London*, and Warden and Masters of the Tallow Chandlers Company, to search all Oils brought to *London*, and if any deceitfully mix'd, to throw it away, and punish the Offender. Head Officers in Corporations have like Power.

The

Oxford and Cambridge. Pains, &c. 293.

The *Greenland* Company exempted from Payment of Custom for Oil, Blubber, &c. imported in their own Vessels. 7 & 8 W. 3. c. 33.

Oxford and Cambridge.

NO Badger, Purveyor, &c. shall bargain for, and take away Grain or other Victuals, in the Markets of *Oxford* and *Cambridge*, or within five Miles, on Pain of forfeiting four Times the Value, and three Months Imprisonment. 2 & 3 P. & M. c. 15.

And they are to have Licence of the Chancellor, &c. under the above Penalty. 13 Eliz. c. 21.

Theatrical and Dramatical Performances, not to be acted in either University, or within five Miles, &c. and Offenders may be committed to the House of Correction. 10 Geo. 2. c. 19.

Pains and Penalties.

IT is ordained by this Act, that *John Plunket* and *Mr. George Kelly* be kept in Prison during the King's Pleasure, and forfeit their Lands and Goods, &c. Escaping, is made Felony. *Francis* Lord Bishop of *Rochester* deprived of his Offices and Dignities, and to suffer Banishment; returning hither, to be guilty of Felony, and incapable of any Pardon, &c. 9 Geo. 1. c. 15, 16, 17.

They were condemned by Parliament for want of sufficient Evidence at Law, on Discovery of *Laver's* Conspiracy.

Painters.

1 Jac. 1.
c. 20.

A Plasterer is not to use the Art of a Painter in *London*, &c. except he be a Servant to some Painter, or have served seven Years Apprentice to the Trade, upon Pain of $\text{5 } l.$

The Price of Painters Work, is limited by this Act.

Papists.

35 Eliz. c. 2.

Papists to repair to their usual Place of Residence, and not to remove above five Miles without License, on Pain of forfeiting Goods, &c.

3 Jac. 1. c. 5.

Papist not to come to Court under the Penalty of $100 \text{ } l.$ To be disarmed, &c. See this Statute, **Crown.**

3 Car. 1. c. 2.

Persons going beyond Sea to be train'd up by Papists, to forfeit all their Goods and Chattels, &c. unless they conform within six Weeks after their Return. Sending Children incurs a Penalty of $100 \text{ } l.$

1 W. & M.
Sess. 1. c. 9.

The Lord Mayor of *London*, and Justices of Peace, &c. to cause to be brought before them Papists, who refusing to subscribe the Declaration 30 Car. 2. to suffer as Popish Recusants Convict. But this Act not to extend to such as use any Trade or Manual Art; and Foreign Merchants, Servants to Ambassadors, &c. are excepted.

Papists

Papists or reputed Papists refusing to appear *1 W. & M.* and subscribe the Declaration, not to keep in *c. 15.* their Houses any Arms, Weapons, Gunpowder, &c. and Justices of Peace may order the same to be seised, &c. Nor to keep any Horse above the Value of 5 *l.* which may be likewise seised. Persons concealing Arms or Horses, or hindering Search, to be committed, and forfeit treble Value.

Persons refusing to repeat and subscribe the *1 W. & M.* said Declaration, disabled to make any Presenta- *c. 26.* tion, &c. as if Popish Recusants Convict, and the Universities to present, &c. presenting contrary to this Act to forfeit 500 *l.*

This Act requires Papists, or reputed Papists, *8 W. 3. c. 6.* who refuse to take the Oaths *1 W. & M.* to pay double to the Land Tax, &c.

Persons apprehending a Popish Priest, &c. say- *11 & 12* ing Mass, to have 100 *l.* from the Sheriff four *W. 3. c. 4* Months after Conviction. And such Priests, &c. and Papists who keep Schools, &c. to suffer perpetual Imprisonment. Persons educated in the Popish Religion, not taking the Oaths when they come to Age, disabled to inherit or take Lands, &c. and during their Lives the next Protestant Relation to enjoy, &c. Lord Chancellor may take Care of the Education of Protestant Children whose Parents are Papists.

Every Papist and Trustee, &c. for Popish Chil- *12 Ann.* dren, disabled to present to any Benefice, &c. *Seff. 2. c. 14.* And Presentations by them to be void. And the Chancellor and Scholars of the University to present as by the Act 3 *Jac. 1.* And Bishops are required to examine Persons presented on Oath before Institution, whether the Person presenting be the real Patron, and made it in his own Right, or whether he be not a Trustee for a Papist, &c.

The Person refusing to be examined, the Presentation to be void. This Act not to extend to Scotland.

1 Geo. 1. c. 55. The first of these Acts requires Papists to regi-

3 Geo. 1. c. 18. ster their Estates on Pain of Forfeiture. And by the last, Sales of Lands of Papists (incurring the Disabilities 11 & 12 W.) to Protestant Purchasers, are confirmed, notwithstanding Disability of Persons joining in the Sale, unless before Sale the Person who is to take Advantage of such Disability has recovered, or entered his Claim, &c. No Lands to pass from Papists by Deed or Will, without Inrollment: Papists made incapable of purchasing any Lands, &c.

9 Geo. 1. c. 24. All Persons of the Age of eighteen to take the Oaths, or register Estates as Papists; and neglecting it shall forfeit the Fee and Inheritance of their Lands, &c. two Thirds to the King, the other to the Prosecutor being a Protestant.

10 Geo. 1. c. 4. The 9 Geo. 1. not to extend to Persons having only an Estate in Reversion, or under 10 l. a Year, or to any Woman, &c. and one Year's Rent of Lands to be forfeited for Default of Registering, not the Fee. Registries of Papists Estates, &c. shall contain the Place where they lie, the Names of the Possessors, their Interests, and the yearly Rent, &c. And the Registry to be kept by Clerks of Peace of Counties, and return'd in to the Exchequer.

9 Geo. 1. c. 18. A Sum of 100,000 l. raised by a Tax on all Papists, over and above the double Taxes.

6 Geo. 2. c. 5. Further Time is allowed for inrolling Deeds,
9 Geo. 2. c. 26. &c. made by Papists, to make them good in Law, where no Advantage has been taken for want thereof.

The

The reputed Owners of Papists Estates, on 11 Geo. 2. conforming to the Protestant Religion, and taking ^a 17. the Oaths, &c. they and all Protestants claiming under them, shall possess Estates freed of Disabilities; unless Persons entitled to take Advantage, have recover'd by Judgment in Action commenced six Months before, or been in Possession two Months, &c. But any Person's Right in Reversion not to be prejudiced, if his Suit be brought in a Year after Determination of the precedent Estate.

Grants made of any Church Advowson, &c. *Stat. ibid.* by a Papist, or Persons in Trust for him, if not made for valuable Consideration to a Protestant Purchaser, and for his Benefit only, shall be void; and Persons that claim by such Grant, to be deemed Trustees for Papists, and compelled to make Discovery thereof, &c.

See more **Crown and Oaths.**

Pardon.

NO Charter of Pardon for Murder, &c. to ² E. 3. c. 2. be granted, but where one killeth another in his own Defence, or by Misadventure.

This Act requires Persons pardoned to find ¹⁰ E. 3. c. 3. Surety for their good Behaviour, which is to be returned into Chancery, &c.

No Pardon of the Death of a Man to be gran- ¹⁴ E. 3. c. 15. ted, or other Felony, but where the King may do it consistent with his Coronation-Oath.

The

13 R. 2. c. 1. The Offence to be specified in Pardons; and
 16 R. 2. c. 9. no Pardon of Treason or Felony shall pass without Warrant of the Privy Seal; if the Offence be found wilful Murder, the Pardon not to be allowed. And in an Appeal of Death the King cannot pardon.

12 Car. 2. c. 11. This Act was made for a General Pardon of Persons concerned in the Grand Rebellion against King *Charles I.* except Persons who sat in the traitorous Assembly which proceeded against the King's Life, the two Persons who appeared disguised on the Scaffold at the King's Murder, &c.

25 Car. 2. c. 5. This Statute likewise grants a general Pardon.
 2 W. & M. Sess. 2. c. 10. By this Act a General Pardon is granted on Account of the Revolution, and Abdication of King *James.* Treasons against the King and Queen's Persons, Murders, &c. excepted; and also the Marquess of *Powis*, the Lord Bishop of *Durham*, Lord *Jefferies*, &c.

6 & 7 W. 3. c. 20. This Act was made for a General and Free Pardon.

7 Ann. c. 23. This Statute grants the Queen's most Gracious General and Free Pardon; Treason, &c. and Persons employed in the Service of the Pretender, &c. excepted.

3 Geo. 1. c. 19. This Act was made for the King's most Gracious General and Free Pardon; Excepted Murders, Piracies, Burglaries, &c. Persons in the Service of the Pretender, and who levied War in the late Rebellion; Earl of *Oxford*, Lord *Harcourt*, *Matthew Prior*, Esq; &c. Those impeached by Parliament.

7 Geo. 1. c. 19. The Exception of these particular Persons, is left out of this Statute.

Persons

Persons pleading any Pardon for Felony, the Justices may remand them to Prison till they enter into a Recognizance with two sufficient Sureties for good Behaviour for seven Years. 5 & 6 W. & M.

Parliament, and Privilege of Parliament.

THE Statute of Agreement between the King, 51 H. 3. Lords and Commons, in Parliament.

All Parliaments, &c. shall be held without 7 E. 1. Force.

By this Act a Parliament is to be holden once 4 E. 3. c. 14. a Year, and oftner, if it be necessary. And 36 E. 3. requires a Parliament to be held every Year.

This Statute directs the Manner of electing 7 H. 4. c. 13. Knights of Shires, &c. by the King's Writ. And the Returns of Sheriffs by Indenture annexed to the Writ.

Persons elected Members of Parliament to be 1 H. 5. c. 1. resident where chosen.

Election of Knights of the Shire to be made by 8 H. 6. c. 7. a Majority of Voices resident in the County, having 40 s. *per Annum*. Sheriff acting contrary to this Act, to forfeit 100 l.

By this Statute Electors of Knights of the Shire 10 H. 6. c. 2. are to have 40 s. Freehold, clear of Reprises.

This Statute was made for assessing an Allow- 23 H. 6. c. 11. ance for Members of Parliament.

Sheriffs, after the Receipt of the Writ, to de- 23 H. 6. c. 13. liver Precepts to every Mayor and Bailiff of Cities,

ties, Boroughs, &c. commanding them to make Elections of Members, and Returns by Indenture between them and the Electors; Head Officers making a false Return to forfeit 40 *l.* to the King, and 40 *l.* to the Person chosen not returned. Sheriff not making due Return of electing Knights of the Shire, &c. to forfeit 100 *l.*

6 H. 8. c. 16. No Knight of the Shire, Burgefs, &c. to depart from the Parliament without License from the Speaker and Commons assembled.

33 H. 8. c. 21. The King's Royal Assent to Acts of Parliament by Letters Patent under the Great Seal, and sign'd by his Hand, to be of equal Force, as if the King were present.

5 Eliz. c. 1. Members of the House of Commons to take an Oath, &c.

1 Jac. 1. c. 13. Persons in Execution delivered by Privilege of Parliament, may be prosecuted afresh, and new Execution obtained against them when that Privilege ceases.

12 & 13 Car. 2. c. 1. This Act declares that the Parliament begun Anno 16 Car. 1. is dissolved, and that the Lords and Commons now sitting are the Parliament. Persons affirming that the Parliament begun 1640. is not dissolved, that the Houses of Parliament have a legislative Power without the King, &c. incur the Penalty of a *Premunire*.

16 Car. 2. c. 1. The sitting and holding of Parliaments not to be discontinued above three Years.

30 Car. 2. c. 1. Peers and Members of Parliament to take the Oaths before they sit or vote in the House, or be adjudged Popish Recusants, and be disabled to hold any Office, to sit in Parliament, to make Proxies, to prosecute any Suit, &c. and to forfeit 500 *l.* This Statute is confirmed by 13 & 14 W. 3.

By

By this Statute the Lords and Commons convened at *Westminster* are declared the two Houses of Parliament, notwithstanding the Want of any Writ of Summons or other Defect of Form, &c. *1 W. & M. Sess. 1. c. 1.*

No Officer of Excise to make any Interest, or dissuade any from giving a Voice for Members of Parliament, under the Penalty of 100 *l.* and Disability, &c. Officers of the Post-Office, &c. the same Penalty. *5 & 6 W. & M. c. 20.*

This Statute enacts, That new Parliaments shall be chosen once in three Years, and no Parliament to continue longer than three Years. *6 W. & M. c. 2.*

Candidates not to make Presents to, or treat, &c. Electors after the *Teste* of the Writ of Election; if they do, they are incapable to serve as Members. *7 W. 3. c. 4.*

False Returns of Members of Parliament incur double Damages. Contracts to procure Returns adjudged void, and the Person who makes such Contract, and gives any Reward for a false or double Return shall forfeit 300 *l.* *7 & 8 W. 3. c. 7.*

Forty Days to be between the *Teste* and Return of the Writ of Summons to Parliament. Sheriff three Days after Receipt of Writs to elect Members, to issue out Precepts to Boroughs, &c. who are to proceed to Election in eight Days. The Sheriff to hold his County-Court at the most publick and usual Place for Election of Knights of the Shire, to poll the Freeholders, make no unnecessary Adjournments, deliver Copies of the Poll, &c. under the Penalty of 500 *l.* Trustees or Mortgagees not capable of voting, unless they are in actual Possession; and Conveyances to multiply Votes to be void. No Person under the Age of twenty-one admitted to be elected a Member, or to vote. *7 & 8 W. 3. c. 25.*

- 19 & 11 W. Sheriffs and other returning Officers to make
3. c. 7. their Returns in fourteen Days after the Election,
on Pain of 500 l.
- 12 W. 3. c. 3. Actions may be prosecuted against Persons entitled to Privilege of Parliament, after Dissolution or Prorogation, until a new Parliament is called, or the same re-assembled; and after Adjournment for above fourteen Days. Persons having cause of Action against Lords of Parliament to have Process out of B. R. &c. by Summons, original Bill, &c. and leaving a Copy of the Bill with the Defendant, or at his House, for Want of Appearance, Answer, &c. may sequester the Estates of the Peer; but not arrest the Body, or of a Member of Parliament, &c. The King's Debtor not to be privileged by Parliament.
- 2 Ann. c. 8. Actions prosecuted against any Officers of the Revenue, for Breach of Trust, &c. not to be staid by Colour of Privilege, though such Officer, &c. be a Member of Parliament. But a Member of Parliament not subject to Arrest during the Time of Privilege, but Summons, Attachment, &c. to issue till the Party appear.
- 9 Ann. c. 5. By this Statute no Person is qualified to be a Member of Parliament, who hath not on Estate of Freehold or Copyhold of 600 l. *per Annum* a Knight of the Shire; and 300 l. a Year a Citizen and Burgess, clear of all Incumbrances. But the eldest Son of a Peer, or of a Person qualified to be a Knight of the Shire, not incapable of being elected. Candidates to take an Oath of the Value of their Estates, to qualify them. Refusing, Election to be void.
- 10 Ann. c. 22. Persons in a collusive Manner making any Grants or Conveyances of Lands as a Qualification for Voters at Elections of Knights of the Shire,

Shire, the Grants to be taken as absolute against the Makers, and all Bonds, &c. for Redemption to be void. And Persons making the Conveyance, and voting by it, to forfeit 40 *l.* No Person to be an Elector who has not been assessed to the publick Taxes at 40 *s. per Annum*, and who has not received the Profits one Year, unless Lands by Descent, &c. Persons voting contrary to forfeit 40 *l.* Quakers admitted to vote, declaring the Effect of the Oath of Abjuration, &c. This Act not to extend to restrain Persons from voting for Knights of the Shire in respect to Tithes, Offices, &c. by reason the same have not been usually assessed to any publick Taxes. 12 *Ann. c. 5.*

By this Statute, the Time of Continuance of ¹ *Geo. 1. c. 39.* Parliaments is enlarged to seven Years. A Parliament not dissolved by the Death of a King or Queen, &c.

Persons having Pensions, for Term of Years, ¹ *Geo. 1. c. 56.* &c. are not capable of being elected Members of Parliament; and Pensioners presuming to sit and vote, to forfeit 20 *l.* a Day.

On Election of Members, Electors to take an ² *Geo. 2. c.* Oath, That they have not had any Money, Gift, ²⁴ Reward, Office, &c. or Promise for any to give their Votes; and returning Officers to take a like Oath, as to Returns: Admitting Voters without taking the Oath, to forfeit 100 *l.* If any Elector ask, or take Money or Reward, to give or refuse his Vote; or any one by Gift, Promise, &c. Shall corrupt or bribe an Elector, he is liable to the Penalty of 500 *l.* And Electors to be for ever disabled to vote in Elections, to hold any Office, or Franchise.

The

6 Geo. 2. c.
23.

The County Courts for electing Knights of the Shire may be adjourned over from Day to Day, until the Election, &c. is determined; but not to certain common Days only, which will be void.

8 Geo. 2. c.
30.

When Election of any Members of Parliament is made, the Secretary at War before the Time appointed for it, to issue Orders for Removal of every Regiment or Company of Soldiers that shall be quartered in any City, Town, or Borough, where such Election shall be, until after the Poll taken, &c. except in fortified Places, having Garrisons, &c.

9 Geo. 2. c.
38.

Persons to be prosecuted within two Years after any Offence against the Act 2 Geo. 2. for preventing Bribery, &c. or not be liable to any Penalty, or Incapacity.

11 Geo. 2. c.
24.

Act to amend the 12 W. 3. By this Statute, Suits may be brought here or in *Ireland*, against any Peer, or Member of Parliament, or their menial Servants, &c. in the Intervals of Parliaments, or of Sessions, if above Fourteen Days; and the Courts after Dissolutions, or Prorogations, to give Judgment, and award Execution: And where any Plaintiff shall be stay'd from prosecuting his Suit, he shall not be nonsuited, but on rising of the Parliament, may proceed to Judgment, &c.

See Crown, County-Courts, &c.

Partition, &c.

IF Lands descend to several Coparceners; they shall all hold of the chief Lord, and not one of the other. 14 H. 3.

By this Statute Jointenants, &c. may be compelled to make Partition by Writ *de partitione facienda*, as Coparceners. 31 H. 8. c. 1.

This Statute enacts, That if after Process of 8 & 9 W. 3. *Pone* or Attachment returned upon a Writ of Partition, and Affidavit of Notice, &c. there be no Appearance entered in fifteen Days, the Demandant having entered his Declaration, the Court may give Judgment by Default, and award a Writ to make Partition, &c. But the Court may suspend or set aside the Judgment, if the Party concerned move the Court in a Year, and shew good Matter in Bar. c. 31.

One Jointenant may have an Action of Account against another. 4 & 5 Ann. c. 16.

Coparceners, Jointenants, &c. seised of an Advowson to present by Turns. 7 Ann. c. 18.

Patents.

THE King to advise with his Council touching Grants and Patents made of his Estate, &c. And in Petitions for Lands, Annuities, Offices, &c. the Value to be express'd, or the Letters Patent thereupon shall be void. H. 4. c. 6.

X

Letters

- 18 H. 6. c. 1. Letters Patent which bear not the Date and Day of Delivery of the King's Warrants into Chancery to be void.
- 6 H. 8. c. 15. In Petitions for Grants for Reversions the first Patentee being living, the former Patent to be express'd, &c. otherwise the last Grant shall be void.

Peers and Peerage.

- 15 E. 3. c. 2. **T**HE Peers of the Realm, shall be tried in Parliament.
- 21 H. 8. c. 13. Nobility to retain Chaplains; a Duke six, Marquess and Earl five, Viscount four, Baron three, a Dutchesse, Marchioness, &c. two Chaplains.
- 32 W. 3. c. 3. The Body of a Peer not to be arrested, but his Estate may be sequestred for Debt, &c.

See **Parliament, Precedence.**

Perjury.

- 5 El. c. 9. **P**ERSONS committing wilful Perjury to forfeit 20 l. suffer six Months Imprisonment, be disabled to give Evidence, and to be set on the Pillory, and have both their Ears nail'd. Suborning a Witness to give Testimony in any Court of Record concerning Lands or Goods, &c. to forfeit 40 l. and incur the other Punishments *supra*.
Quakers

Quakers by their solemn Affirmation or Declaration corruptly affirming any Matter or Thing to be true, which is false and would have been Perjury in others, to incur the Penalties of Perjury. 7 & 8 W. 3.

The Court before whom any Person shall be convicted of Perjury, besides the Punishment already inflicted, may order the Offender to be sent to the House of Correction for seven Years, or transported for the like Term. 2 Geo. 2. c. 6.

Petitions.

NO Person shall procure above twenty Hands to any Petition to the King or Parliament, for Alterations in Church or State, unless by Order of three or more Justices of Peace, &c. nor deliver such Petition with above ten Persons, under the Penalty of 100 *l.* and three Months Imprisonment. 13 Car. 2. c. 5.

Physicians and Surgeons.

NONE to practise Physick in *London*, or within seven Miles, &c. without a License from the Bishop of *London*, or Dean of *St. Paul's*, who is to call to his Assistance four Doctors of Physick on Examination of the Persons before granted. Practising without License, 5 *l.* a Month Forfeiture. 3 H. 8. c. 11.

- 14 & 15 H. 8. By this Act the King's Charter for incorporating the College of Physicians of *London* is confirmed. They are to chuse a President, and have perpetual Succession, a common Seal, and Ability to purchase Lands, make Ordinances for good Government, &c. Eight of the Chiefs of the College to be called Elects, who from amongst themselves are to chuse a President yearly.
- 32 H. 8. c. 40. Physicians are discharged from Parish-offices, &c. Four Physicians to be chosen by the College to search Apothecaries Wares, and to have an Oath given them by the President for that Purpose. Refusing, &c. to forfeit 40 s.
- 34 H. 8. c. 42. The Surgeons of *London* and Barbers incorporated, and exempted from bearing Arms, serving on Juries, &c. And the Company shall have Liberty to take four Persons condemn'd for Felony, for Anatomies yearly. No Barber in *London*, or within one Mile thereof, shall practice Surgery, only Drawing of Teeth, &c.
- 34 & 35 H. 8. c. 8. Persons having a Knowledge and Experience in Herbs, may practise and minister to outward Sores such Herbs, &c. and Drinks for the Stone, Stranguary or Agues, without License.

Pilots. See Ships.

Piracy.

- 27 H. 8. c. 4. **M**urder and Robbery, &c. committed by Pirates at Sea, to be heard and determined in any County of *England* by Commission, as if the Offence was committed on Land. The Com-

Commission to be directed to the Lord High Admiral, &c. This extends to Treasons, &c. by 28 H. 8.

Piracies, Felonies, &c. committed upon the 11 & 12 Seas; or in any Haven, River, Creek, &c. where W. 3. c. 7. the Admiral has Jurisdiction, may be tried at Sea, or upon the Land, in any of his Majesty's Islands, Plantations, &c. abroad, appointed for that Purpose by Commission; and Commissioners may call a Court of Admiralty, and proceed according to the Course of the Admiralty, give Sentence, and award Execution. Natural-born Subjects of *England* committing Hostility by Commission of any Foreign Prince, adjudged Pirates. Combining to yield up a Ship to Pirates, or to lay violent Hands on the Commander, adjudged Piracy. Discoverer of a Combination entitled to a Reward of 10 *l.* for every Vessel of 200 Tons, and 15 *l.* if above. Persons setting out Pirates, concealing them, receiving Goods, &c. Accessaries, and to suffer as Principals. Made perpetual, by 6 Geo. 1.

Masters of Ships, &c. trading with Pirates, 8 Geo. 1. c. 24. furnishing Stores or Provisions; and Persons corresponding with them, is Piracy, and Offenders to be tried according to the Statute 27 H. 8. and 11 & 12 W. 3. and suffer Death, forfeit Lands &c. Ships fitted out with Design to Trade and Correspond with Pirates, forfeited. And Masters of Ships, Seamen, &c. not defending Ships against Pirates, to forfeit their Wages, and be imprisoned six Months. Seamen wounded, to be admitted into *Greenwich* Hospital, &c.

Plague.

1 Jac. 1.
c. 31.

Mayors, Bailiffs, Head-officers of Corporations, Justices of Peace, &c. may tax Inhabitants towards the Relief of Persons infected with the Plague; and Justices may tax within five Miles round on a Parish's Inability. The Tax to be levied by Distress, &c. Infected Persons going abroad may be resisted by Watchmen, &c. and punished as Vagrants, if they have no Sore; if they have Sores upon them, it is Felony. Justices of Peace to appoint Searchers, Examiners, Buriers, &c. and to administer Oaths, &c.

9 Ann. c. 2.

This Act was made for performing of Quarentine by Shipping, during the Infection in foreign Parts. Masters of Ships coming on Shore during the Quarentine to forfeit the Ship, &c. Persons directed to take Care of the Quarentine, permitting any to come on Shore, forfeit 100 l.

7 Geo. 1. c. 3.

Ships coming into Ports, during the Time of the Plague abroad, to perform Quarentine; and Persons quitting Ships before perform'd, shall forfeit 200 l. Goods after Quarentine, to be aired; and Ships infected burnt. In Time of Infection here, his Majesty may cause Lazarets to be provided, and Lines cast up about Towns, &c. and infected Persons escaping, guilty of Felony.

8 Geo. 1. c. 8.

But these last Clauses are repealed by this Statute.

8 Geo. 1. c. 10.

The King enabled by Proclamation, to prohibit Commerce with any Country infected with the Plague: Persons trading contrary, to forfeit Ships and Goods; and going to Places infected, incur

incur a *Premunire* ; coming from such Places is Felony.

When any Country or Place hath the Plague, ^{1 Geo. 2. c. 18.} all Ships coming into the Ports of this Kingdom, are to make Quarantine in such Place, and for any Time as his Majesty shall order and notify, &c. Officers of Ports to resist Entrance of Ships, by firing of Guns.

Persons going to any infected Places after the ^{6 Geo. 2. c. 34.} King's Proclamation, shall forfeit 500 *l.* Exporting Goods thither, to forfeit double Value ; and landing any Goods brought from thence, to suffer Death as Felons, &c.

Plantations.

AN Alien may not be a Merchant, or Factor ^{12 Car. 2.} in any of the *English* Plantations, on Forfeiture of Goods. And no Governor, Deputy, &c. in the Colonies or Plantations of *America* shall be Factor or Agent, for Sale or Disposal of Negroes, &c. under the Penalty of 500 *l.* by ^{9 & 10 W. 3.}

The Governors of the Plantations once ^{22 & 23} Year to return to the Officers of the Customs in ^{Car. 2. c. 26.} *London*, &c. a List of Vessels laden with Sugars, Tobacco, Ginger, &c. which being unladen in any other Parts but *Great Britain*, to be forfeited, &c.

Goods to be imported and exported to and ^{7 & 8 W. 3.} from the Plantations in Ships built in *England* or ^{c. 21.} *Ireland*, or the said Plantations, and navigated with the Master and three Fourths of the Ma-

riners of the said Places, on Pain of forfeiting Ship and Goods. Governors of the Plantations to take an Oath to do the utmost the Statutes require relating to the said Plantations. Naval Officers to give Security to the Commissioners of the Customs in *England*, &c. And all Ships and Commanders subject to the same Rules, Searches and Penalties, as Ships and Ladings, &c. in this Kingdom. All Places of Trust, &c. in the Plantations to be in the Hands of the Natives of *England*, *Ireland*, or the said Plantations.

11 & 12 W. 3. c. 11. Governors, &c. of Plantations oppressing his Majesty's Subjects in their Governments, the same to be enquir'd into and determined in B. R. or before such Commissioners, and in such County as his Majesty shall appoint.

5 Geo. 2. c. 7. In Actions depending in the Plantations, Debts may be proved on Oath before Mayors of Towns, and certified abroad; and Lands, Houses, Negroes, to be Assets and liable to pay all Debts, &c.

5 Geo. 2. c. 22. No Hats to be exported out of any of the Plantations, to any other Place; which may be seized, and Offenders incur 500 l. Penalty.

6 Geo. 2. c. 13. A Duty granted on Rum and Sugar, &c. of foreign Plantations, imported into *British*; and no Sugars, Rum, or Spirits of *America* shall be imported in *Ireland*, but what are laden in *Great Britain* in Ships lawfully navigated, on Pain of Forfeiture, &c.

8 Geo. 2. c. 19. Subjects may carry Rice from *Carolina* to any Port Southward of *Cape Finisterre*, without going to other Plantations, &c. being licensed by Commissioners of the Customs, and giving Security not to load any other Goods; and thereon shall be paid Half Subsidy.

The

The Sum of 26,000 *l.* granted towards settling the new Colony of *Georgia*, in *America*: And also 10,000 *l.* and 20,000 *l.* more for establishing the same.

8 Geo. 2. c. 23.
9 Geo. 2. c. 34.
10 Geo. 2.
c. 17.

See Ships and Shipping,

Players and Play-houses.

Persons in Plays, &c. jestingly or profanely using the Name of God, to forfeit 10 *l.* and speaking any Thing in Derogation to Religion; or acting any Play on a *Sunday*, are liable to Penalties and Imprisonment.

1 Eliz. c. 2.
3 Jac. 1. c. 21.
1 Car. 1. c. 1.

No Person shall act any new Play for Gain, or Addition to an old one, or new Prologue, &c. unless a true Copy be sent to the Lord Chamberlain fourteen Days before, signed by the Master of the Play-house where acted; and Persons acting contrary to the Lord Chamberlain's Prohibition, shall forfeit 50 *l.* and their Licenses. Persons that act without Authority, to be deemed Rogues and Vagabonds, and treated accordingly, or pay 50 *l.* Penalty; and no License to be granted but in the City and Liberties of *Westminster*, &c.

10 Geo. 2.

- 8 & 9 W. 3. 30. Poor Persons may remove to other Parishes by Certificate from the Churchwardens and Overseers, attested by two Witnesses, and subscribed by two Justices, owning them Parishioners at the Place from whence they remove, and agreeing when they become chargeable, &c. to receive them, &c. Poor receiving Relief to wear Badges on their right Shoulders. Persons refusing to receive poor Apprentices to forfeit 10 l.
- 9 & 10 W. 3, c. 11. Persons coming into any Parish by Certificate shall not obtain a Settlement there without *bona fide* taking a Lease of a Tenement of 10 l. *per Annum*, or legally being placed in and executing some annual Office.
- 12 Ann. c. 18. The Act 13 & 14 Car. 2. &c. (except what relates to Corporations) made perpetual. And Apprentices or hired Servants to Persons coming into a Parish by Certificate, shall not gain a Settlement, unless the Master be first legally settled himself.
- 5 Geo. 1. c. 8. Churchwardens and Overseers of the Poor, where any Wife, or a Child is left on the Parish, by Warrant of two Justices, may seize Goods of the Husband, Father, &c. to provide for the Wife or Child.
- 9 Geo. 1. c. 7. Justices of Peace not to order Relief to poor Persons, until Oath made of reasonable Cause, and that it was refused by the Overseers, &c. Churchwardens and Overseers of Parishes, may purchase or hire Houses, to keep and maintain Poor, &c. who refusing to be so kept, shall be struck out of the Parish Books. Persons taxed to Highways, &c. or making a Purchase under 30 l. not to gain a Settlement, for any longer Time than they inhabit in the Estate. Notice to be given

given of Appeals from Orders, and Expences allowed, &c.

On Certificates that Poor are settled in a Parish, the Witnesses to make Oath of Signing and Sealing, &c. before Justices of Peace; which shall be good Proof: And when Overseers remove back Certificate Persons, they are to be reimbursed the Charges in maintaining and removing them, by Virtue of a Justice's Warrant.

Post-Office.

THIS Act was made for erecting a General Post-Office. A Postmaster General, &c. to be appointed by the King's Letters Patent. The Rates for Letters to be 2 d. for a Letter of a Sheet, not exceeding eighty Miles; two Sheets 4 d. Packets 8 d. per Ounce. Above eighty Miles 3 d. not exceeding a Sheet, &c. To Berwick 4 d. to Dublin 6 d. &c. The Postmaster General to continue constant Posts to all Places throughout the Post-Roads, under the Penalty of 5 l. for every Offence. Postmasters may take 3 d. a Mile for a Horse, and 4 d. the Guide every Stage.

The Profits of the Post-Office settled upon James Duke of York, and his Heirs Male. But the King to have the Nomination of the Postmaster General, which Office may be granted for Life.

By Force of this Statute the King is seised of the Revenues of the Post-Office, as of an indefeisible Estate in Fee-simple.

1 *W. & M.* This Statute was made for erecting a Post-Office in *Scotland*.

9 *Ann. c. 10.* By this Statute the Post-Offices of *England* and *Scotland* are united ; and the Price of Postage is increased to 3 *d.* for a single Letter from any Place not distant above eighty Miles from *London*, 6 *d.* for a double Letter, and so proportionably for Packets. Packets of Writs, Deeds, &c. 12 *d.* per Ounce. Single Letters above eighty Miles distant 4 *d.* &c. Single Letters to and from *Edinburgh* 6 *d.* &c. The Postmaster may erect cross Stages, keep Packet Boats, &c. No Person but the Postmaster or his Deputies to receive, take or carry Letters, or provide Post-Horses, set up any Foot-Post, &c. under the Penalty of 5 *l.* and 100 *l.* a Week for Continuance. Carriers, Stage-Coachmen, Boatmen, &c. not to carry Letters, except such as concern Goods sent by them. Money due for Postage of Letters not exceeding 5 *l.* to be recovered before Justices as small Tithes. Opening, delaying or detaining Letters, except by a Warrant from a Secretary of State, incurs a Penalty of 20 *l.* Not providing sufficient Post-Horses to forfeit 5 *l.*

6 *Geo. I. c.*
21.

Where several Letters are writ and sent by the general Post in one Piece of Paper, or Bills, &c. every Letter or Bill, to be rated as distinct Letters; except Accounts &c. of Merchants.

Penny-Post.

9 *Ann. c. 10.* **L**ETTERS or Parcels, not exceeding sixteen Ounces Weight, or 10 *l.* Value, to be carried daily by the Penny Post to and from Places

Places within ten Miles of *London*, for 1 *d.* each Packet, &c.

Penny-Post Men carrying Letters out of *London* 4 *Geo. 2. c. 33.* or *Westminster*, may take one Penny for every Letter at Delivery, over and above that paid at putting into the Office.

Premunire.

A *Premunire* is granted against such as sue in 27 *E. 3. c. 1.* a Foreign Realm, or impeach there any Judgment given in any of the King's Courts. The Penalty to be out of the King's Protection, to forfeit all Lands and Goods, and be imprisoned and ransomed at the King's Pleasure. And if the Offenders are not to be found, to be outlawed.

Purchasing Bulls, &c. from *Rome*, or else- 16 *R. 2. c. 5.* where, adjudged a *Premunire*.

Persons maintaining the Jurisdiction of *Rome* 5 *El. c. 1.* in *England*, incur a *Premunire*, &c.

See **Bishops, Crown, &c.**

Precedence.

Precedence is in the King's Disposition. The 31 *H. 8. c. 10.* King's Children to sit on each Side the Cloth of State; the Archbishop and Bishops on the Right Side of the King, and the Lord Chancellor, Treasurer, &c. on the Left: Then Dukes,

Prerogative. Pretender. Prison, &c.
 Marquesses, Earls, Viscounts, and Barons, according to Anciency.

Prerogative.

9 H. 3.
 17 Ed. 2. c. 1. **T**HE King to have Lands of Felons convict a Year; Relief of Heirs, &c. and Primer Seisin of Lands. The Custody of Idiots and Lunaticks Estates; Wreck, Whales and Sturgeon, (unless in Places privileged) The Lands of Aliens; and Goods of Fugitives attainted, &c.

Pretender.

1 Geo. 1. c. 1. **A** Reward of 100,000 l. given out of the Treasury to any one that shall seize and secure the Person of the Pretender, landing, or attempting to land in *England*.

Prison, Prisoners and Privileg'd Places.

19 H. 7. c. 10. **T**HE Sheriffs of Counties to have the keeping of Common Gaols, except such as are held by Inheritance; but the King's Bench and *Marshalsea*, are not in the keeping of any Sheriff.

Justices

Justices of the Peace of Shires, in Sessions 14 *Eliz. c. 5.* may tax every Parish in their County, not exceeding 6 *d.* or 8 *d.* a Week each, to be paid yearly, towards the Relief of Prisoners. And 43 *Eliz. c. 2.* they shall also rate every Parish in Counties, for the King's Bench and *Marshalsea* Prisoners, &c. that they may receive 20 *s.* a Year out of each County.

Offenders to bear the Charges of their conveying to Gaol; or on Refusal their Goods to be sold for that Purpose by Virtue of a Justice's Warrant. If no Goods, a Tax to be made by the Constable, &c. on the Inhabitants of the Parish.

Justices of Peace may provide a Stock for setting poor Prisoners on Work, so as no Parish be rated above 6 *d.* per Week.

Prisoners confined for Debt, Damages, &c. 22 & 23 making Oath that they have no Estate, Effects, Monies, &c. to the Value of 10 *l.* to satisfy their Creditors, to be discharg'd; or the Creditors to maintain them in Prison.

This Act revives 22 & 23 *Car. 2.* for the Benefit of poor Prisoners. But none to have the Benefit of the Act, who owe more than 100 *l.* principal Money, &c. And notwithstanding the Discharge of their Bodies, Judgments shall be good against their Lands and Goods. The Time of Commitment is limited by these Statutes.

This Act is to the same Purpose as 2 *W. & M. 7 & 8 W. 3.* only Prisoners released under forty Years of Age, are to lift themselves in the Service during the War with *France*.

Prisoners in the King's Bench and *Fleet* on mesne Process, &c. to be actually detained in the said Prisons, or the Rules of the same,

Y

till

till discharged. Profits of the Marshal and Warden's Places liable to Sequestration for Payment of a Debt on Judgment for an Escape, besides the common Remedy. Keepers of Prisons taking Money to connive at Escapes to forfeit 500 *l.* and their Offices. Prisoners in the King's Bench not to pay above 2 *s.* 6 *d.* per Week Chamber-Rent; Keeper taking more, to forfeit 20 *l.* Judgment may be signed against a Person in the Fleet, in a personal Action, entering a Declaration, and leaving a Copy with the Prisoner, after a Rule to plead to be out at eight Days.

- 1 *Ann. c. 6.* Persons committed or charged in Custody in the King's Bench or Fleet, going at large, upon Oath thereof in Writing before a Judge, an Escape Warrant shall be granted, directed to all Sheriffs, &c. throughout England, to retake the Person escaping, and commit him to the common Gaol, there to remain till the Debt is satisfied. Prisoners may be taken on a Sunday on an Escape-Warrant.

A Prisoner in the Rules or out of the Rules instructing his Counsel, consulting his Creditors, &c. may not be taken up on an Escape-Warrant; but if he goes into the Country, or to Plays, Diversions, &c. he may.

- 1 *Ann. c. 16.* This Act was made agreeable to 22 & 23 Car. 2. 2 *W. & M. c.* for the Discharge of poor Prisoners actually in Custody, and not within the Rules of the King's Bench or Fleet, 1 Jan. 1701.

6 Geo. 1.
c. 20.

Act for discharging poor Debtors from Imprisonment, not having Effects, &c. of the Value of 10 *l.* but none to have Benefit of the Act, who owed above 50 *l.* to one Creditor.

Poor insolvent Debtors in Prison 29 Septemb. 11 Geo. 1. 1724, discharged, on giving publick Notice to Creditors, and delivering up their whole Estates upon Oath; but not to extend to Debtors to the King, or that owe to any one Person 100 *l.* And Judgments to be good against Lands, &c.

The like Act for discharging poor Prisoners, 2 Geo. 2. on delivering up Effects to the Creditors on Oath, &c. except Persons indebted to the Crown, or to one Person 500 *l.* And opposing such Debtor's Discharge, the Creditor to allow him 3 *s.* 6 *d.* a Week, whilst in Prison. Prisoners forswearing themselves, guilty of Felony.

And Prisoners in Execution for any Sum not exceeding 100 *l.* may petition the Court to be discharged; giving an Account of their Estates upon Oath, and assigning the same to Creditors, by Order of Court, &c. But if they are dissatisfied, a Prisoner may be remanded till another Day, and then if the Creditors cannot discover any Effects omitted, he may be discharged, unless they insist on his being detained, and agree to pay him 2 *s.* 6 *d.* per Week. Tho' the Person is released, Judgments shall be in Force as to Lands.

In the Country, out of London, &c. Prisoners before they petition; to give Creditors Notice, and have a Rule of Court to be brought to the next Assises, at the Rate of 12 *d.* a Mile, &c. And the Creditors must be summoned to appear, by Order served thirty Days before; and there the Judges on a summary Examination, shall determine the Matter, and give Judgment and Relief; which is to be certified to the Court whence the Process issued, &c.

By Statute, the Warden of the Fleet Prison was discharged for Extortion, &c. and the King

Privateers and Prizes.

is empowered to grant by Letters Patent the Office of Warden, with all Fees to whom he thinks fit; and Under-Offices not be sold, &c.

Petitions to discharge Prisoners, to be exhibited before the End of next Term after charged in Execution, &c. And A&ts not to extend to Persons taken on a *Capias* for running of Goods, &c. Mutual Debts to be set one against another.

10 Geo. 2.
c. 26.
11 Geo. 2.
c. 9, 20.

A&t for Relief and discharging of poor Prisoners in Prison 1 *January* 1736, on delivering up all their Estates on Oath, for the Benefit of their Creditors, &c. And Prisoners for Debt committed since a certain Time, may be obliged to deliver up Effects, at the Request of Creditors, at whose Suit they have been in Custody. Treasurers of Counties to pay yearly to Persons appointed by the Lord Chief Justice of *B. R.* Sums due from their Counties, to be divided between Prisoners of the King's Bench Prison, &c.

See Escapes, Protection. See Debt to the King.

Privateers and Prizes.

4 & 5 W. &
M. c. 25.

DURING the War with *France*, all Vessels with their Ladings, &c. taken or seized as Prize, were to be brought into some Port, and put into the Possession of the Commissioners of Prizes, &c. and after adjudged Prize, to be sold by the said Commissioners, and the Product distributed

distributed as follows: If the Prize was taken by a private Man of War, four Parts go to the Persons interested in the Privateer, and the fifth to his Majesty; and the Ship and Furniture to go to the Persons interested in the Privateer. Persons imbezilling any of the Goods taken as Prize to forfeit their Shares. Privateers, &c. destroying any *French* Man of War or Privateer, to receive for every Piece of Ordinance in the Ship 10 *l.* from the Commissioners of Prizes. Vessels taken in Ports, Havens, &c. adjudged a Perquisite of the Admiralty, and the Captors to have what shall be thought fit. *English* Vessels retaken after seized as Prize by the *French*, to be restored, paying an eighth Part of the Value, &c. for Salvage.

Proclamations.

THE King's Proclamations, set forth to be observed under Pains and Penalties, to be of the same Force as an Act of Parliament; not to prejudice Life, Liberty, &c. and Judgment to be given against Offenders by nine of the King's Council. Repealed by 1 E. 6. c. 12.

Old Laws discontinued, may be enforced by Proclamation; but not new ones introduced.

See Riots, Deer-Stealers, Plague, &c.

Prohibition.

- 13 E. 1. **P**rohibition lieth not to the Spiritual Courts, for Penance enjoined for deadly Sin, as Fornication, Adultery, &c. Not repairing Churches, laying violent Hands upon a Clerk, Defamation, Oblations, Tithes, &c.
- 18 E. 3. c. 5. No Prohibition shall be, but where the King
30 E. 3. c. 4. hath Cognisance; nor after Consultation duly granted.

Prophecies. Vide **False Prophecies.**

Purveyors.

12 Car. 2.
c. 24.
13 & 14
Car. 2.

NO Sum of Money to be raised for any Provision, Carriages, or Purveyance of the King; and none by Colour thereof, shall take any Thing from the Subject, without Consent; nor require Persons to find Horses, Carriages, &c. unless for Service of the Navy, at so much per Mile; acting contrary, Offenders may be indicted and punished by Justices of Peace at the next Sessions.

By ancient Statutes, Purveyors are to pay ready Money for Goods, &c.

Quakers.

Quakers.

BY this Act if any Persons maintain the taking ^{13 & 14} an Oath to be unlawful, &c. And Quakers ^{Car. 2. c. 1.} to the Number of five or more assembling in religious Worship not authoriz'd by Law, they shall forfeit for the first Offence 5 *l.* for the second 10 *l.* &c. But Quakers are exempted from the Penalties of this Act, by 1 *W. & M.* c. 18.

Quakers making and subscribing the Declara- ^{7 & 8 W. 3.} tion of Fidelity mentioned in 1 *W. & M.* pro- ^{c. 27.} viding themselves Quakers, and owning King *William* to be right and lawful King, not liable to the Penalties of this Act against others refusing to take the Oaths. Not subscribing the Declaration of Fidelity, &c. Quakers are disabled to give any Vote at Election of Members of Parliament.

Quakers, in Cases where an Oath is required, ^{7 & 8 W. 3.} to make a solemn Affirmation or Declaration, ^{c. 34.} declaring in the Presence of Almighty God the Witness of the Truth, &c. making a false Affirmation, subject to the Penalties of Perjury. Quakers refusing to pay Tithes (not exceeding 10 *l.*) or to pay any Church Rates, two Justices may examine, determine and order the same to be levied, &c. Quakers not capable of Offices in the Government, to serve on Juries, or give Testimony in any criminal Cause.

The Quakers Affirmation and Declaration in- ^{1 Geo. 1. c. 6.} stead of an Oath, to be in Force for ever; and Form of it appointed. And the Remedy provided by 7 & 8 *W. 3.* for Recovery of small

Quare Impedit.

Tithes and Church Rates refused Payment by Quakers, to be extended to any Tithes or Rates, &c.

- 8 Geo. 1. c. 6. In the Affirmation of Quakers, as to the Abjuration Oath, the Words *I do solemnly and sincerely profess and declare*, &c. shall be good, without saying *In the Presence of God*.

Quare Impedit.

- 13 E. 1. c. 5. **T**HIS is made a Writ possessory for an Heir at full Age, Reversioner, Spiritual Person, &c. on an Usurpation in the Time of an Ancestor, &c.

- 52 H. 3. c. 12. In a Plea of *Quare Impedit*, &c. Days shall be given from fifteen to fifteen, or from three Weeks to three Weeks, according to the Distance of Place. If the Disturber come not in on the great Distress, a Writ to be sent to the Bishop that he claim not to the Prejudice of the Plaintiff for that Time.

- 1 W. & M. 4. On the Adjournment of *Hillary Term*, Anno 1688. no Part of the Time from the 10th of *December* to the 12th of *March*, accounted Part of the six Months, from the Time of Avoidance of the Church, in which a Person is bound to bring his *Quare Impedit* or *Darrein Presentment*.

Quod

Quod Permittat.

AS Common of Pasture may be recovered on 13 E. 1. c. 24.
a Writ of *Novel Disseisin* by a Parson, so
Remedy is given for the Successor against the
Disseisor or his Heir by *Quod permittat*.

Duo Warranto. See *Franchises, Mandamus*.

Rape.

Ravishing or taking away by Force any Maid 3 E. 1. c. 13.
within Age (or tho' with her Consent)
or any married Woman, Maid at full Age, or any
other Woman against her Will, by this Act was
punished by two Years Imprisonment and Fine.

But by this Statute if a Man ravish a Woman 13 E. 1. c. 34.
married, Maid, or other, not consenting before
nor after, he shall have Judgment of Life and
Member. And if she consent after, the like
Judgment, and the King to have the Suit.

The Ravisher and Ravished, where she con- 6 R. 2. c. 6.
sents after, both disabled to challenge any Inhe-
ritance, Dower, &c. The Husband, Father, or
next of Blood to have Appeal of Rape.

To know a Woman carnally under the Age of 18 El. c. 7.
ten Years, made Felony.

Rape excepted out of the General Pardon. 2 W. & M.
c. 10.

Receivers. Recognizances, &c.

Penetration makes a Rape; and by the Common Law it was punished by Loss of Eyes and Privy Members.

Receivers.

- 34 & 35 H. 8. **C**ollectors of Taxes and Receivers of the Revenues, within three Months to pay in Receipts, on Pain of Forfeiture of Place, and 4 s. in the Pound for Money in their Hands.
- 7 E. 6. c. 1. Receivers, Treasurers, &c. shall be bound with Sureties to render true Accounts yearly, &c. under Penalties.
- 1 Geo. 1. c. 36. Process to issue out of the Exchequer against Receivers General of Taxes in Arrear, to finish their Accounts; and they are charged with 10 l. per Cent. Interest as Damages, till the Balance is paid.
- 6 Geo. 1. If a Receiver General be robb'd on the Highway, Oath to be made by three in Company, to recover the Money, &c.
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Recognizances and Statutes Merchant, Statutes Staple, &c.

- 13 E. 1. **T**HE Merchant is to cause the Debtor to come before the Mayor of London, York or Bristol, to acknowledge the Debt, &c. And the Recognizance to be entred in a Roll; afterwards a Bill obligatory is to be drawn with the Seal

Seal of the Debtor, and the King's Seal, in the Custody of the Mayor, &c. And if the Debtor fail in Payment, his Chattels, &c. to be seized and sold to satisfy the Debt; if the Debtor have no Moveables in the Mayor's Jurisdiction, the Mayor to send the Recognizance to the Chancellor, who shall issue a Writ to the Sheriff to levy the Debt, &c.

If the Debt be not paid at the Day, the Mayor, 13 E. 1. *De &c.* may cause the Debtor to be imprisoned till *Mercatoribus* he agree the Debt; if he do not satisfy the same in a Quarter of a Year, his Lands and Goods to be delivered to the Merchant on a reasonable Extent, to hold till the Debt be levied. The Merchant may have Writs to all Sheriffs where he has Lands, on *Non est inventus* returned, &c. Two Merchants to be chosen in London, and the Seal opened before them, one Piece whereof to be delivered to the Merchants, and the other to remain with the Clerk.

This Statute settles the Places for holding the Staple of Wool, &c. at the Chief Cities, &c. 27 E. 3. c. 1. and the Mayor of the Staple may take a Recognizance of Debt in the Presence of the Constables of the Staple. And there shall be a Seal remain with the Mayor, &c. And upon such Obligation, after Default of Payment, the Mayor may imprison the Debtor, arrest his Goods, and sell them to satisfy the Creditor. And if the Debtor be not found within the Staple, the Mayor to certify the Obligation into the Chancery, from whence there shall issue a Writ against his Person, Lands and Goods, &c. as in case of Statute-Merchant.

Mayors

- 36 E. 3. c. 7. Mayors and Constables of the Staple to have Conusance of Debts, Covenants, Contracts, &c. touching Merchandize.
- 14 & 15 R. 2. Officers of the Staple to be first sworn to the King, and then to the Staple. The Mayor of the Staple taking a Recognizance contrary to the Statute, to forfeit to the King Half the Sum recognized.
- 11 H. 6. c. 10. Persons shewing a *Scire Facias* in Chancery to defeat an Execution upon a Statute Staple, to find Surety both to the King and Recognizee to prosecute, &c.
- 23 H. 8. c. 6. The Chief Justices of the King's Bench and Common Pleas, or the Mayor of the Staple at *Westminster*, out of the Term, and the Recorder of *London*, jointly to take Recognizances for the Payment of Debts; and the Recognizees to have such Process, Execution, &c. as upon Obligations of Statute Staple. The Mayor or Constable of the Staple taking Recognizances, except between Merchants of the Staple for Merchandize of the same Staple, to forfeit 40 l.
- 21 & 23 Car. 2. c. 2. This Statute makes an Act 16 & 17 Car. 2. for preventing Delays in extending Statutes, Recognizances, &c. perpetual.
- 29 Car. 2. c. 3. No Recognizance shall bind Lands in the Hands of Purchasers *bona fide* for valuable Considerations, but from the Time of Inrolment, which is to be set down in the Margin of the Roll.
- 4 & 5 W. & M. c. 16. This Statute is made for preventing Frauds where Recognizances, &c. are entred; upon borrowing other Sums of Money from other Persons, by Mortgaging Lands, &c. without giving Notice of the Recognizance, which forfeits the Equity of Redemption, &c. if the Recognizance be not paid off, and vacated in six Months, &c.
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The Clerk of the Recognizances to keep three ^{8 Geo. 1. c. 25.} Parchment Rolls, for those taken before the Chief Justice of B. R. Chief Justice of C. B. and Mayor of the Staple, &c. And Persons before whom taken, and the Parties acknowledging, shall sign their Names to the Roll as well as Recognizances: And at End of the Year, all three Rolls to be fix'd together, from which Process shall be made out, &c.

Recusants.

PERSONS absenting from Church above a Month ^{35 Eliz. c. 1.} without a lawful Excuse, impugning the Queen's Authority, &c. to be committed till they conform and submit themselves. And if they do not conform in the Space of three Months, they are to abjure the Realm in open Sessions. But Protestant Dissenters are exempted. Recusants not to travel above five Miles, on Pain of forfeiting their Goods, Lands, Annuities during their Life, &c.

Convict Recusants not to come to Court; not ^{3 Jac. 1. c. 5.} to practise the Common Law, Civil Law, Physick, &c. or bear any Office, &c. under the Penalty of 100 *l.* Disabled to present to a Benefice, and to be Executor, Administrator, Guardian, &c. Reputed as excommunicate Persons, &c.

Persons refusing to take the Oaths, liable to ^{1 W. & M.} the Penalties of Popish Recusants, but taking the ^{Seff. 1. c. 18.} Oaths and subscribing the Declaration after Conviction, excused from Penalties.

Offices

Offices of Inheritance may be executed by Deputies taking the Oaths.

See more, **Crown, Papists:**

Register.

- 2 *Ann. c. 4.* **T**HIS ACT was made for the registering of all Deeds and Conveyances executed in the West Riding of *Yorkshire*. A publick Office to be kept for registering Memorials by a Register. The Register to be chosen by Freeholders having 100 *l. per Annum*. Wills to be registred in six Months after the Death of the Testator. This Act not to extend to Copyholds, Leases at a Rack-Rent, or twenty-one Years, &c.
- 5 *Ann. c. 18.* By this Statute Deeds of Bargain and Sale may be inrol'd before the Register in the West-Riding of *Yorkshire*, and be as effectual as if inrol'd in the Courts at *Westminster*.
- 6 *Ann. c. 35.* A Memorial and Register of all Deeds, Conveyances, Wills, &c. to be made in the East-Riding of *Yorkshire*. The Register to be sworn by the Justices in Quarter-Sessions. Every Leaf of the Register's Book to be signed by two Justices: And no Judgment, Statute, &c. to bind Hereditaments, but from the Time a Memorial thereof shall be entered at the Register's Office. Deeds and Conveyances executed, to be void against subsequent Purchasers, unless registred before the Conveyance, under which such Purchasers claim.
- 7 *Ann. c. 20.* By this Act the like Register is required of Deeds and Lands, &c. in the County of *Middlesex*,

as in the East and West Ridings of *Yorkshire* ; and the Clerk of the Inrolments in Chancery, Clerk of the Warrants in the Common Pleas, &c. are appointed Registers.

A Registry to be of all Deeds made in the 8 Geo. 2. c. 6. North-Riding of *Yorkshire* ; The Deeds and Conveyances registred shall be on Parchment, under the Hand and Seal of some of the Grantors or Grantees, &c. attested on Oath by two Witnesses to the Execution of the Deeds, and signing and sealing Memorials, &c. Register guilty of fraudulent Practices to forfeit his Office, and pay treble Damages.

Religion.

NO Person in Authority to execute Spiritual Jurisdiction has Power to adjudge any Matters of Religion to be Heresie but such as have been so adjudged by Canonical Scripture, by one or more of the General Councils, or shall be adjudged by the Parliament, with the Assent of the Convocation.

Dissenters taking the Oaths and subscribing the Articles of Religion mentioned 13 Eliz. except the 34th, 35th, and 36th Articles, not subject to Penalties for assembling in Conventicles, &c. But the Preaching to be in publick Places, with Doors open and not lock'd, bolted, &c. Justices of Peace may require Persons going to a Meeting, to make and subscribe the Declaration, and take the Oaths or Declaration of Fidelity, and upon Refusal to commit them, &c. who shall

shall be adjudged Popish Recusants Convict. Persons coming into a Church, Chapel or Congregation, and disturbing the same, or misusing the Teacher, on Conviction at the Quarter-Sessions to forfeit 20 *l*.

9 & 10 W. 3. c. 32. Persons educated in the Christian Religion, who by Writing, Speaking, &c. deny any one of the Persons in the Holy Trinity to be God, or asserting there are more Gods than one, or denying the Christian Religion to be true, or the old and new Testament to be writ by Divine Authority, declared incapable of any Office or Employment. And on a second Conviction disabled to prosecute any Action, to be Executor, Guardian, &c. and suffer three Years Imprisonment.

12 Ann. c. 2. If any Person, who hath any Office Civil or Military, or any Salary, &c. from the Crown, Magistrates of a Corporation, &c. who by 13 & 25 Car. 2. are obliged to receive the Sacrament, shall be present at any Conventicle at which there shall be ten Persons assembled, where the Royal Family shall not be prayed for in express Words, to forfeit 40 *l*. and be incapable to hold such Office, &c. but on conforming, &c. to the Church of *England*, a Person is rendered capable of the Grant of an Office or Employment. This Act not to make void any Office of Inheritance, so as the Person substitutes a Deputy to execute, &c.

Schism in Seminaries, &c. See *Bishops*.

Rents.

ACTION of Debt to be brought for Rent ^{8 Ann. c. 17.}
 in Arrear, upon Lease for Life, or Years :
 At common Law it lay not on Leases for Life.

Tenants holding over Lands, after End of Lea- ^{4 Geo. 2. c. 28.}
 ses and Demand to deliver Possession, are to pay
 double yearly Value, recoverable by Action of
 Debt. And when half a Year's Rent is due, the
 Landlord may without Re-entry serve a Declara-
 tion in Ejectment against any Tenant, &c. And
 proving Rent due, and no sufficient Distress, shall
 have Judgment to recover the Land; And Te-
 nants suffering Execution, without paying the
 Rent and Costs, and not filing a Bill in Equity
 for Relief in six Months, to be barred from all
 Remedy, &c.

Persons may have like Remedy by Distress, *Stat. ibid.*
 &c. for Rents Seck and Chief Rents, as Rents
 reserved on Lease. On surrendring chief Leases
 of Lands, Under-Tenants to hold and pay Rent,
 &c. as if original Leases were in Being.

Where Tenants of Lands, &c. held at Rack- ^{11 Geo. 2.}
 Rent, in Arrear one Year's Rent, leave the same ^{c. 19.}
 uncultivated or unoccupied, two Justices to view
 the Premises, and if on Notice fix'd on the
 most notorious Place, and a second View, the
 Rent be not paid, the Lease to be void. If any
 Tenant for Life die on the Day Rent is payable,
 the Executors, &c. to recover from Under-Te-
 nants the whole; and if before, a due Propor-
 tion of such Rent. And any Agreement for

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Rent

Rent may be used as Evidence, where Demises are not by Deed, &c.

See Executors.

Replevin.

13 E. 1. c. 2. **L**ORDS attach'd in Replevin by their Tenants not obtaining Justice in inferior Courts, a Writ to be granted to remove the Plea before the Justices; and the Avowry shall be upon Seisin of the Ancestor. Sheriffs to take Pledges of the Plaintiff to prosecute his Suit, and return the Distress, if it be awarded; otherwise to answer the Lord for Price of the Cattle: And Sheriffs are to proclaim Deputies to take Replevins, under the Penalty of 5 *l*.

1 P. & M.
c. 12.

11 Geo. 2.
c. 19.

A Defendant in Replevin may avow generally, that the Tenant of the Lands whereon Distress was made, held the same at such Rent, during the Time for which distrained, &c. without setting forth the Landlord's Grant or Title; and if the Plaintiff become nonsuit, Defendant to have double Costs. Sheriffs and other Officers granting Replevins, and taking Bonds to prosecute, &c. shall assign them to the Avowant by Indorsement, who may bring Action thereon in his own Name: And the Court by Rule to give Relief to the Parties.

Vide Avowry.

Residence

Residence of Clergy, Chaplains, &c.

DEans and Spiritual Persons promoted to ^{21 H. 8. c. 13.} Dignity in a Cathedral Church, &c. to be personally Resident upon the same, one Month together, and two Months at several Times in the Year, under the Penalty of 10 *l.* Every Spiritual Person of the King's Council may have Dispensation to keep three Benefices, and Chaplains of the King, Queen, Prince, &c. may keep two. An Archbishop and Duke may have each of them six Chaplains, a Marquess and Earl five, a Viscount and Bishop four; the Chancellor, every Baron, &c. three; every Dutches, Marchioness, &c. two; the Treasurer and Comptroller of the Household, the King's Secretary, Almoner, and Master of the Rolls two; and the Chief Justice one, and each may have License for two Benefices.

Every Judge of the King's Bench, Common ^{25 H. 8. c. 16.} Pleas, the Chancellor, and Chief Baron of the Exchequer, and the King's Attorney and Solicitor General, may each of them have one Chaplain, attendant on his Person, having one Benefice with Cure, who may be non-resident on the same.

The Groom of the Stole, Treasurers of the ^{33 H. 8. c. 28.} King's Chamber, Chancellor of the Dutchy of *Lancaster*, may retain each one Chaplain.

Rewards.

- 4 & 5 W. & M. **F**OR apprehending and taking a Robber on the Highway, upon Conviction, &c. 40 *l*.
- 6 & 7 W. 3. For the apprehending Coiners of false Money, 40 *l*.
- 5 Ann. c. 31. For apprehending Persons committing Burglary, 40 *l*.
- 6 Geo. I. c. 20. For the apprehending of Thief Takers, that do not prosecute the Felons, 40 *l*.
- 6 Geo. I. c. 22. For apprehending Persons resisting Officers of the Customs, by Force of Arms, &c. 40 *l*.

See Pretender.

Riots.

- 27 R. 2. c. 8. **S**heriffs and other the King's Officers to suppress Riots and imprison Rioters.
- 13 H. 4. c. 7. Justices of Peace with the Sheriff, or Under-Sheriff, by the Power of the County immediately to suppress Riots, arrest the Offenders, and record their Proceedings. But if the Rioters be dispersed, Inquiry is to be made in a Month, and Certificate made, &c. Justices of Peace neglecting their Duties to forfeit 100 *l*.
- 1 H. 5. c. 8. On Default of the Justices in enquiring, the King's Commission shall go out to enquire by sufficient Men of the County, at the Instance of the Party grieved. Heinous Rioters to suffer one Year's Imprisonment.

Upon

Upon a Bill of Complaint for any Riot preferred to the Lord Chancellor, testified under the Seals of two Justices of Peace, and the Sheriff of the County, the Lord Chancellor shall send forth a *Capias* to take the Parties, &c. but common Fame must run in the County of the same Riot, and be likewise testified before the *Capias* granted.

Where Riots are committed, the Sheriff upon a Precept directed to him, shall return twenty-four Persons to enquire of the Riot, and certify the Inquiry and the Offence into the King's Bench, &c.

Twelve Persons or more riotously assembled, continuing together an Hour after Proclamation made by a Justice of Peace, Sheriff, Mayor, &c. to disperse, is Felony without Clergy. Demolishing any House, Church, Chapel, &c. is Felony; and Inhabitants of Towns and Hundreds, to yield Damages to rebuild the same.

By an old Statute it was Treason, for twelve or more Persons to assemble, to attempt to kill any of the King's Council, or alter the Laws, if they continued together an Hour after Proclamation; and if to destroy any Park, Pond, &c. Felony. *Stat. Ed. 6.*

But this Statute was soon *Repealed*.

Robbery.

ALL Persons to be ready at the Summons of the Sheriff, and Cry of the County, to pursue and arrest Felons, Robbers, &c.

- 13 E. 1. c. 1.** Immediately when Robberies and Felonies are committed, Hue and Cry to be made from Town to Town, and County to County, by Horsemen and Footmen to the Sea side. The Constable, on the Persons being described, &c. is to call upon the Parishioners to assist him in the Pursuit in his Precinct, and if the Offender be not there, to give Notice to the next Constable, who is to do the same as the first, &c. The County to have forty Days to apprehend the Robbers; and not doing it, the Hundred shall be answerable for Robberies, and also the Damages.
- 7 R. 2. c. 6.** By this Act the Statute of *Winchester*, 13 E. 1. is confirmed.
- 12 H. 8. c. 12.** Where a Person is robb'd, the Justices of Gaol-Delivery, &c. may award a Writ of Restitution for the Money or Goods taken on Conviction, as if the Felon were attainted at the Suit of the Party in Appeal.
- 27 El. c. 13.** The Hundred not making Hue and Cry, to answer half the Damages recoverable against the Hundred where the Robbery is committed. Where Damages are recovered against one or some few of the Inhabitants of the Hundred, and the rest refuse to contribute, two Justices may set a Tax, &c. The Person robb'd is with all speed to make the same known to the next Village, to make Oath and be examined before a Justice, &c. And no Hundred is chargeable where any one of the Malefactors is apprehended, or when the Action is not commenced in a Year. The Robbery to be committed during Day-light.
- 29 Car. 2. c. 7.** Persons travelling on the Lord's Day, and are robb'd, the Hundred not chargeable; but Hue and Cry shall be made.

This

This Act gives the Reward of 40 *l.* for apprehending Robbers on the Highway; to be paid within a Month after Conviction. If a Person is kill'd, his Executors, &c. intitled to the 40 *l.* The Apprehenders to have likewise the Horses, Furniture, Arms, and Money, &c. of the Robbers, saving the Right of others. An Offender impeaching two others, to have his Majesty's Pardon.

Persons with offensive Weapons assaulting, or in a violent Manner demanding Money, any Person with Intent to commit Robbery, shall be guilty of Felony, and transported for seven Years.

Where a Robbery is done, Notice to be given in the Gazzette, describing the Robber, and Robbery, Time and Place, Money lost, &c. and Hundred not to be charged, if any of the Robbers are taken within 40 Days after such Notice: And 10 *l.* to be given by the Hundred, for apprehending any Offender in the Time limited. Constables, &c. neglecting to make Hue and Cry, forfeit 5 *l.* and Process against Hundreds shall not be served on any Inhabitants, but upon the High Constable, who shall appear, and defend the Action in their Behalf, &c.

Rochester.

THE Mayor and Citizens of *Rochester* to hold a Court of Admiralty yearly, and by Jury of free Dredger-Men inquire into the Oyster Fishery; and make Rules and Orders when
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Russia Company. Sail Cloth.

sters shall be taken, with the Quantities, and to preserve their Breed in the River *Medway*, &c. and may impose Penalties, not above 5 *l*.

And Water-Bailiffs to be appointed to examine Boats, &c.

Rome. See Bishops.

Russia Company.

10 & 11
W. 3. c. 6.

ANY Person being a Subject of this Realm, may be admitted into the *Russia* Company, on Request to the Governor, &c. paying 5 *l*. for his Admission. And no more than 5 *l*. shall be taken for any Admission to the Fellowship thereof. Naval Stores imported from *Russia* to be accounted for to the Parliament.

Sail Cloth.

4 Geo. 2.
c. 37.

MAKERS of Sail Cloth to fix Stamps, with their Names, &c. to every Piece, under the Penalty of 5 *l*. Persons cutting off Stamps, or using any false Names, incur certain Penalties. A Bounty is allowed on Exportation of *British* made Sail-Cloth.

9 Geo. 3.
c. 37.

All Foreign Sail Cloth imported, for which Duties granted, to be stamp'd with a Stamp expressing from whence imported, &c. And Manufacturers of Sail Cloth in this Kingdom, are to affix to every Piece of Sail Cloth made a Stamp,
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containing their Names and Places of Abode, or exposing it to Sale, shall forfeit 10 *l.* &c. on Conviction before one or more Justices. Ships built, on first setting out to Sea, to have one compleat Set of Sails manufactur'd here, on Pain of 50 *l.* And no Sailmakers shall make up into Sails foreign Sail Cloth not stamp'd, under 20 *l.* Penalty : Also Sail Cloth made in *Great Britain*, to weigh so many Pounds each Bolt, &c. and Flax Yarn used in *British* Sail Cloth, not to be whiten'd with Lime, on Forfeiture of 6 *d.* per Yard.

Salt.

SALT to be sold by Weight after the Rate of 9 & 10 *W.* 3. fifty-six Pounds to the Bushel, under the Penalty of 5 *l.*

This Act imposes a Duty on Salt ; Pits to be entered, &c. at the Salt-office under the Penalty of 40 *l.* Sixty-five Pounds of Rock-Salt to be deemed a Bushel.

Salt ship'd for *Ireland* perishing at Sea, or taken by Enemies, upon Proof in six Months, the Duty to be repaid, &c.

The Duties on Salt and Rock-Salt continued, and granted for ever.

Salt used in curing of Herrings for Exportation, to pay no Duty.

The Duties on Salt made within this Kingdom taken off; and upon foreign Salt to continue &c. But such Salt may be imported for the *British* Fishery Duty-free, paying so much a Barrel for Herrings, for Home Consumption.

All

Scandalum Magnatum.

- 3 Geo. 2. c. 6. All the Duties upon Salt revived for three Years, to be managed by Commissioners, &c. with Clause of Loan for 500,000 *l*.
- 7 Geo. 2. c. 6. Duties on Salt continued seven Years longer, under the same Regulations; with Clause of Loan of 1,000,000 *l*. and Commissioners for the Salt Duties may grant Licenses to erect Houses for refining of Rock Salt, &c.
- 8 Geo. 2. c. 12. The Salt Duties further continued for four Years, after the End of the seven Years, with a Clause of Loan for 500,000 *l*. Proprietors of Salt-Works in *Scotland*, not to pay Work People in Salt, on Pain of 20 *l*.
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Scandalum Magnatum.

- 2 R. 2. c. 5. **T**HIS Action is brought by a Peer or Nobleman for Slander, who prosecutes as well for the King as himself. A Defendant may justify in *Scandalum Magnatum*, setting forth the special Matter.
- 12 R. 2. c. 11. Persons devising false News, or telling Lies of any Lord, Officer of the Government, whereby any Slander may arise, or Mischief happen to the Kingdom, to be imprisoned.
- 25 H. 8. Slander of the Marriage of King *Henry VIII.* with *Anne Bullen* declared Treason.

Scavengers, Paving, &c.

THIS Statute was made for paving the Street ^{24 H. 8. c. 11.} between *Charing-Cross* and *Strand Cross*, &c.

An Act for paving the Street from *Aldgate* to ^{32 H. 8. c. 17.} *Whitechappel Church*, giving Power to the Mayor, Justices, &c. to hear and determine.

This Act was made for paving of the *Minories*, ^{23 Eliz. c. 12.} &c.

By this Statute the Streets in and about *London* ^{13 & 14 Car. 2. c. 2.} and *Westminster* were to be paved and kept clean, Hackney Coaches licensed, &c.

All Persons within the weekly Bills of Mortality to sweep and cleanse their Streets, &c. every ^{2 W. & M. 2. c. 2.} *Sess.* *Wednesday* and *Saturday*, on Pain of 3 s. 4 d. Suffering Dirt to lie in Heaps before Houses to forfeit 5 s. Throwing noisom Things into Sewers, &c. 20 s. None to hoop Vessels, set any Dung empty Coaches to mend, &c. in any Street, on Pain of 20 s. Inhabitants to pave before their own Houses, under the Penalty of 20 s. a Perch. In *Easter Week* yearly Scavengers to be elected, two Tradesmen in each Parish, by the Constables, Churchwardens, &c. Not taking upon them the Office to forfeit 10 l. Constables, Churchwardens, Inhabitants, &c. to settle a Tax, which is to be allowed by two Justices, and not to exceed 4 d. in the Pound. The Wheels of Carts, &c. not to be wrought with Iron-work, (but Scavengers are excepted) nor drawn with above two Horses, under the Penalty of 40 s. No Persons to keep Swine in Backsides, &c. of pav'd Streets.

Sca-

1 Geo. 1. c.
48.

Scavengers may be appointed by the Quarter-sessions for cleansing Streets, &c. in any Market-town, and Assessments, &c. made, not exceeding 6 *d.* in the Pound.

12 Geo. 1. c.
25.

Trustees to clean St. *James's* Square, and keep it cleansed, &c. Rates to be made on Houses, at so much *per* Foot in Front, leviable by Distress, &c. And Persons annoying the Square by Filth, forfeit 20 *s.*

2 Geo. 2. c. 11.

For better paving and cleansing Streets in the City of *Westminster*, particular Surveyors to be chosen; who shall view all the Streets every six Weeks, and make Presentments of Pavements out of Repair to Justices, and cause them to be repaired, being reimbursed, &c. Neglecting their Duty to forfeit 40 *s.* Scavengers to sweep up all Dirt they carry away, under the like Penalty.

Scotland.

1 Jac. 1. c. 2.

BY this Statute Authority is given to Commissioners chosen out of both Houses of Parliament, to treat with Commissioners of *Scotland* concerning an Union.

19 Car. 1.
c. 13.

Twelve Persons to be nominated by the King as Commissioners to treat upon the Liberty of Trade, &c. and concerning an Union.

22 Car. 2.
c. 9.

3 Ann. c. 14.

This Statute was made for settling Articles for the Union of *England* and *Scotland*. Commissioners to be appointed, &c.

5 Ann. c. 8.

By this Statute the Union was effected. The Kingdoms united to be called *Great Britain*, the Cross of St. *George* and St. *Andrew* to be conjoined.

joined. The united Kingdom to be represented by one Parliament. The Subjects of either Kingdom to have Freedom of Trade, liable to the same Customs, like Laws for publick Government, &c. When 1,197,763 *l.* 8 *s.* 4 *d.* is raised in *England* on a Land Tax, *Scotland* to be charged with 48,000 *l.* *Scotland* to have an Equivalent for being charged towards Payment of the Debts of *England*, and not to be subject to Duties before the Union. Sixteen Peers of *Scotland* and Forty-five Commoners to represent *Scotland* in Parliament. The sixteen Peers to be named and elected by the Peers of *Scotland*, and have all Privileges of Parliament as Peers of *England*, &c. One Great Seal to be for the united Kingdoms, different from the Great Seal of either Kingdom. Kirk Government of the Church confirmed, &c. The Courts of Justice to remain the same as before the Union, but subject to Regulation.

Peers of *Scotland*, &c. and all Officers Civil and Military, &c. in *Scotland*, to take the Oath of Abjuration, &c. A Peer committing High Treason, Murder or Felony in *Scotland*, may be tried by Commission under the Great Seal, constituting Justices to enquire, &c. in *Scotland*. 6 Ann. c. 14.

By this Act a Court of Exchequer is erected in *Scotland*, as a Court of Record, Revenue and Judicature for ever. 6 Ann. c. 26.

High Treason or Misprision of Treason in *England* to be so in *Scotland*; and the Queen may grant Commissions of Oyer and Terminer in *Scotland*, to determine such Treasons; but after the Decease of the Pretender, no Attainder of Treason to disinheret any Heir, nor prejudice the Right

Right of any Person, other than that of the Offender during his natural Life.

10 Ann. c. 12. The Presentation to Churches, and disposing of vacant Stipends to pious Uses, &c. in *Scotland*, confirmed in the Patrons. Episcopal Meetings to be held with their Doors not lock'd or bolted. Persons disturbing Congregations, misusing any Minister, &c. to forfeit 100 l. on Conviction.

1 Geo. I. c. 20. Persons having Lands in *Scotland*, guilty of High Treason by corresponding with, assisting, or remitting Money, &c. to the Pretender, on Conviction, their Vassals continuing in dutiful Allegiance, to hold the said Lands of his Majesty in Fee and Heritage for ever, where the Lands were so held of the Crown by the Offender.

1 Geo. I. c. 54. By this Statute, Persons not to bear Arms in *Scotland*; and to find Bail for their loyal and peaceable Behaviour, &c.

5 Geo. I. c. 20. Debts due to *Scotland* by way of Equivalent on the Union, to be settled by Commissioners; and Proprietors incorporated with certain Privileges.

6 Geo. I. c. Act for regulating the making of Pladings, Stockings, &c. in *Scotland*.

10 Geo. I. c. 18. When any ordinary Place is vacant in the Court of Session in *Scotland*, the King to nominate a Person, who shall be examined by the Lords of the Session, and then admitted, &c. But King not to present any extraordinary Lord of Session.

11 Geo. I. c. 26. Act for more effectual Disarming the Highlands of *Scotland*; they shall deliver up Arms, on Summons, and concealing them is liable to Penalties.

13 Geo. I. c. 26. To regulate Linen Manufactures in *Scotland*; Weavers are to weave their Names or Marks to Cloths,

Cloths, and make the Warp of every Piece of Linen of equal Fineness, &c. The Cloths to contain certain Lengths and Breadths, and be stamp'd, on Pain of 5 l. Using Lime, &c. for Bleaching Linen, incurs the like Penalty, and Forfeiture of Cloth.

His Majesty may appoint Trustees for oversee- 13 Geo. 1. c. ing the Linen Manufacture of *Scotland*; and 30. Commissioners to improve the Fishery there, on the Plan of 15th Article of the Union.

Act for better regulating Elections of Members 7 Geo. 2. c. 16. of Parliament for *Scotland*; to prevent Fraud of Electors, and false Returns, &c.

Seamen.

THE Sea to be open to all Merchants to pass 18 E. 3. c. 3. with their Merchandise.

The Treasurer, Controller, and Commissioners 19 Car. 2. c. 7. of the Navy, to punish Fighting or Quarreling of Seamen, &c. by Fine and Imprisonment.

Personating any Seaman, &c. to receive his 22 & 23 Salary, Wages, &c. incurs a Penalty of double the Car. 2. c. 23. Sum that would have been gained by Fraud, and the Offender to be imprisoned not exceeding a Year.

This Act was made for the registering of Sea- 7 & 8 W. 3. men for the King's Service, to the Number of c. 21. 30000. Every Seaman registred to be allowed 40 s. per Annum Bounty Money, whether he be in Service or not, and besides his Pay. And on Disability of Service, &c. be admitted into Green- wich Hospital for Life.

- 2 *Ann. c. 6.* By this Statute poor Boys whose Parents are chargeable to the Parish, &c. to be placed out Apprentices to the Sea-Service till twenty-one Years of Age; 2 *l.* 10 *s.* to be given with each for Cloathing and Bedding. And Masters of Ships from thirty to fifty Tons to take one such Apprentice, one more for the next fifty Tons, and one more for every hundred Tons afterwards, under the Penalty of 10 *l.* Ships in the Coal-Trade to have besides the Master, Mate and Carpenter, one Mariner to every hundred Ton.
- 4 & 5 *Ann. c. 19.* Prisoners for Debt, &c. being able-bodied Seamen or Landmen, to be discharged, and enter themselves in the Service.
- 10 *Ann. c. 17.* Every Seaman in the Service of the Crown, or any Subject, except of Hoys, Smacks, &c. belonging to *London*, employed in bringing Corn, Fish or Provisions, to pay 6 *d.* per Month to *Greenwich* Hospital. Masters of Ships to detain the 6 *d.* per Month out of the Seamens Wages. Vide *Hospitals*.
- 1 *Geo. 1. c. 25.* Fighting and Disturbances of Seamen in the King's Yards are inquirable by the Treasurer and Commissioners of the Navy; who may punish Offenders by Fine not above 20 *s.* and Imprisonment, &c. by this Act.
- 1 *Geo. 2. c. 14, 19.* Money ordered for discharging Seamens Wages, and punctual Payment, by making up Accounts of Pay due to Ships of War once in six Months, &c. If any Seaman voluntarily enter his Name with a Commission Officer, to serve, and appear on board any Ship of War in fourteen Days, &c. he shall have the usual Conduct Money, and be paid two Months advanced Wages; Seamen dying in the Service, Tickets to be made out for their Pay, and paid immediately to
Executors,

Executors, &c. Bargains and Assignments of Seamen's Pay shall be void; and Letters of Attorney to receive Wages, to be attested by the Captain, or other Officer, or Mayors of Towns, &c. Governors in foreign Parts, to provide for *English* Seamen shipwreck'd, at 6 *d.* per Diem, and send them home; and lifted Seamen in Ships of War, shall not be taken thereout by Process, other than for a Criminal Matter, or Debt amounting to 20 *l.*

No Master of a Ship to employ Seamen, without Contract in Writing, on Pain of 5 *l.* and deserting afterwards they may be apprehended by Justice's Warrant, and committed to the House of Correction, &c. If any Seaman desert on the Voyage he shall lose his Wages; absents without Leave, to forfeit for every Day two Days Pay; and if he quits the Ship before discharged, incurs the Forfeiture of one Month's Pay to the Use of *Greenwich* Hospital: On the Arrival of Ships, Masters to pay the Seamen their Wages in thirty Days, under a certain Penalty, &c. Seamen belonging to a Merchant Ship not debarred from entering into the King's Service.

A Man in every Hundred Men, to be allowed 6 *Gen. 23. 25.* on Books of Ships of War in Sea Pay; and the Produce of Wages of such Seaman, and Value of his Victuals, to be applied for Relief of poor Widows of Officers of the Navy.

Masters of *British* and *Irish* Ships trading to *Cadiz* and Port St. Mary's, to pay one Ryal Plate per Ducat on the Freight of all Goods and Merchandize, &c. to Persons appointed by the Consul and Merchants there, as Contribution Money, &c. to relieve shipwreck'd Seamen, and other distress'd Persons, his Majesty's Subjects.

10 Geo. 2. c.
14.

An Act to the like Effect, as to Ships trading from hence to *Leghorn*.

See *Waterman*.

Sewers.

23 H. 8. c. 5. **C**ommissions of Sewers to issue into all Parts of the Realm, where and when Need shall require, directed to substantial Persons nominated by the Lord Chancellor. The Commissioners to make and ordain Laws, but not to continue longer in Force than their Commission, may decree Lands to be sold to levy the Charge assessed upon Non-payment, &c. Commissioners allowed 4 s. a Day, and their Clerks 2 s.

3 & 4 E. 6. c. 8. The Statute 23 H. 8. c. 5. made perpetual; and every Commission of Sewers to endure five Years.

13 El. c. 9. Commissions of Sewers to continue ten Years, unless repealed by a new Commission. All Laws, Ordinances, &c. of the Commissioners (without Certificate into the Chancery) to remain in Force till repealed, notwithstanding the Determination of the Commission. Clerks of Commissions to estreat Fines, Penalties, Forfeitures, &c. yearly into the Exchequer.

27 El. c. 24. Justices of Peace in *Norfolk* to make an Order for the Repair of Sea-Banks, &c. And Persons chargeable as towards repairing the Highways.

3 Jac. 1. c. 14. All Ditches, Banks, Sewers, Bridges, &c. within two Miles of *London*, and falling into the *Thames*, subject to the Commission of Sewers.

Lord

Lord Mayor of London, &c. to appoint Persons who have the Power of Commissioners of Sewers in London. And Commissioners of Sewers may levy Assessments, and decree Copyhold Lands from the Owners, on Nonpayment of any Lot or Charge, till the same is satisfied. 7 Ann. c. 9. § 10.

Persons removing any Piles, &c. used for preventing Inundations, shall forfeit 20 l. leviable by a Justice. 10 Geo. 2. c. 2. § 32.

Sheep, Farms.

SHEEP not to be transported, on Pain of Forfeiture, or the Value. 3 H. 6. c. 2.

No Person to keep at one Time more than two Thousand Sheep, under the Penalty of 3 s. 4 d. for every Sheep: Lambs not accounted Sheep till above a Year old. None shall take to Farm above two Farms together, and they in the same Parish, upon Pain of 3 s. 4 d. a Week. 25 H. 8. c. 13.

Persons exporting Sheep shall forfeit them, and 20 s. a Sheep, &c. 12 Car. 2. c. 32.

Sheriffs.

Sheriffs to be assign'd by the Chancellor, Treasurer, Barons of the Exchequer, and Justices, &c. 9 E. 2.

Sheriffs, &c. to have sufficient Lands where chosen, to answer the King and his People. 4 E. 3. c. 9.

- ¹4 E. 3. c. 7. No Sheriff shall continue in his Office above one Year. If Sheriffs let any Hundreds, Bailiwicks, &c. to farm, they shall let them at the ancient Farms, &c.
- 4 H. 4. c. 5. Sheriffs to be resident on Bailiwicks, and not to let them to farm.
- 1 H. 5. c. 4. No Under-Sheriff, &c. shall be Attorney in any of the King's Courts so long as he bears the Office.
- 4 H. 5. c. 2. Sheriffs to have Allowance upon their Accounts of Things casual, as of Estreats, &c. that be not in Farm.
- 23 H. 6. c. 8. Sheriffs acting contrary to 14 E. 3. c. 7. to forfeit 200 *l.* To let to Bail Persons upon reasonable Sureties, to take but 20 *d.* for an Arrest, the Bailiff 4 *d.* &c. To take no Bond of Persons arrested but for Appearance, &c. under the Penalty of 40 *l.*
- In Saunders 161 - Catch 23 -*
- 12 E. 4. c. 1. Sheriffs executing Writs, &c. the 6th of November, commonly the Day of the Date of their Patent, shall not thereby incur the Penalty of 200 *l.*
- 34 H. 8. c. 16. By this Statute Sheriffs were to have Allowance on their Accounts for executing the King's Writs, levying Estreats, &c. Expences at the Assise, and the like, not exceeding 342 *l.* 6 *s.* 8 *d.* But this was repealed by 2 & 3 E. 6. c. 4. And where Sheriffs have no Tallies of Reward, they shall be allowed Expences on Petition, &c.
- 1 M. c. 28. No Sheriff to act as a Justice of Peace during his Shrievalty.
- 27 El. c. 12. Under-Sheriffs, &c. to take the Oaths; entering upon their Office before they have taken the Oaths, to forfeit 40 *l.*
- 19 Eliz. c. 4. Sheriff's Fee on an Extent or Execution, is 12 *d.* for every Pound under 100 *l.* and 6 *d.* for every

every Pound above 100 *l.* Taking more to pay treble Damages, and forfeit 40 *l.*

A *Quietus* to be a sufficient Discharge for a ²¹ *Fac. 1. c. 5.* Sheriff; Officers sending out Writs contrary to this Statute to forfeit 40 *l.*

No Sheriff in Assise-time to keep a Table for the ¹³ & ¹⁴ Entertainment of any but those of his own Retinue, nor to make any Present to a Judge; or have above forty Servants with Liveries, or under twenty, attending him at the Assises, under the Penalty of 200 *l.* This Act not to extend to Sheriffs of *London* and *Middlesex.* *Car. 2. c. 21.*

The Act ¹³ & ¹⁴ *Car. 2.* made perpetual. Returns of Bailiffs to the Sheriff to be made by Indenture between them. *Re-1 Fac. 2. c. 17.*

Sheriffs shall be allowed 1 *s.* in the Pound for levying Debts, &c. by *Levari facias*, if the whole do not exceed 100 *l.* and 6 *d.* for every Pound above; and for all Debts leviable by *Fieri facias* and Extent, (except Post Fines due to his Majesty) 1 *s.* 6 *d.* per Pound, where the Sum is under 100 *l.* and 1 *s.* when above. They are not to take more than 1 *s.* in the Pound of the yearly Value of the Lands for executing a Writ of *Habere facias possessionem*, where the whole exceeds not 100 *l.* per Annum, and 6 *d.* if above. Sheriffs taking Poundage in a *Capias ad satisfaciendum* for a greater Sum than the real Debt, to forfeit treble Damages and 200 *l.* On the Decease of Sheriffs the Under-Sheriffs to act in their Names, till others appointed, and be answerable: And the Offices of Under-Sheriff, County-Clerk, Gaoler, &c. not to be sold, on Pain of 500 *l.*

The Fees to be paid by Sheriffs on passing Accounts are ascertained.

Ships and Shipping, &c.

Sheriffs Accounts not to be delayed in the Exchequer, &c. and 4000 *l.* yearly to be set apart at the Exchequer and allowed the Sheriffs of the several Counties, to help pass their Accounts, &c. In ancient Times Sheriffs were chosen by the People of the County.

See County-Court, and Jurors, &c.

Ships and Shipping, the Navy Royal, &c.

5 R. 2. c. 3. **B**Y this Statute none of the King's Subjects were to export and import Merchandize in any Ships but *English*, on Pain of Forfeiture.

6 R. 2. c. 8. But this Statute gave Power to Merchants to hire other Ships.

4 H. 7. c. 10. *Gascoign* Wine, &c. not to be imported into this Realm otherwise than in *English* Vessels; but this was likewise altered by 32 H. 8. which allows those Wines to be imported in any other Ships.

12 Car. 2.
c. 18.

Goods imported or exported out of any Territories belonging to the King in *Asia*, *Africa* or *America*, to be in Vessels belonging to the *English*, and the Master and three fourths of the Mariners to be also *English*, on Pain to lose such Goods and the Vessel. No Sugar, Tobacco, &c. of the Growth of the Plantations, to be transported to any Place other than to *England*, *Ireland* or *Wales*, on Pain of Forfeiture, and the Ship and Furniture, &c.

This

This Statute was made for the better Govern- 13 *Car. 2. c. 9.*
ment of the King's Ships of War and Forces by
Sea, and contains several Articles.

English Merchant Ships of 200 Tons mounted 22 & 23
with 16 Guns, not to yield to Pirates without *Car. 2. c. 11.*
fighting; if they do, the Masters to be rendred
incapable. And Mariners and inferior Officers
refusing to fight, to lose their Wages, &c. Where
Men are wounded in Defence of a Ship, the Ad-
miralty to levy two *per Cent.* of the Ship and
Goods for their Use, &c. Wilfully destroying a
Ship, Felony.

This Statute grants a Duty of 5 *s. per Ton* on 1 *Fac. 2.*
all foreign-built Ships, one Moiety for the Chest *c. 18.*
at *Chatham*, and the other for *Greenwich Hospi-*
tal, to relieve decay'd Seamen, &c.

Ships built of three Decks, containing 450 5 & 6 *W. &*
Tons, and mounted with 32 Pieces of Ordnance; *M. c. 24.*
for the three first Voyages, the Owners to receive
a tenth Part of the Tonnage and Poundage Du-
ties payable for Merchandizes exported or impor-
ted on the said Ships.

By this Statute 2000 Acres of Land in the 9 & 10
New-Forest was ordained to be inclosed; for the *W. 3. c. 36.*
Preservation of Timber for the Navy Royal.

This Act appropriates the Sum of 570,000 *l. 9 & 10*
for the Building, Guns, Rigging, &c. of 27 *W. 3. c. 37.*
Ships of War.

Forty-three Ships of War to be employed as 6 *Ann. c. 13.*
Cruisers; and if any Vessel be taken by any Ship
of War or Privateer, and condemned as Prize, the
Commander and other Officers, Seamen and
others on Board, by this Act to have the sole In-
terest and Property.

Lord Admiral or Commissioners of the Admi- 6 *Ann. c. 37.*
ralty, during the War, to grant Commissions to

Commanders of Ships for the taking and seizing Ships and Goods of Enemies. Persons serving on board Privateers, or retained in Merchant-Ships in any Part of *America*, not to be impress'd by any Ship of War, under the Penalty of 20 *l.*

3 & 4 Ann
c. 13. During the War any Ships may be navigated by foreign Mariners: And Foreigners serving on Board any *British* Ship for two Years, to be deemed natural-born Subjects, &c.

3 Geo. 1. c. 13. Pilots of Ships plying up the River *Thames*, &c. to be approved by the Master and Wardens of *Trinity-House* at *Deptford*, under the Penalty of 10 *l.* for first Offence, 20 *l.* for the second, and 40 *l.* for every other Offence, &c. And negligently losing Ships, shall be for ever disabled.

4 Geo. 1. c. 12. Persons casting away, burning or destroying Ships, to the Prejudice of Policies of Insurance, &c. guilty of Felony.

1 Geo. 1. c. 21. The Lord Warden of the *Cinque Ports* to make Rules for Government of Pilots at *Dover*, *Deal*, &c. and order a sufficient Number to conduct Ships up the *Thames*.

1 Geo. 2. c. 20. No Person to act as a Pilot on the *Thames*, (except in Collier Ships) without License from the Master and Wardens of *Trinity House*, on Pain of forfeiting 20 *l.* And Pilots shall be subject to the Government of that Corporation, and pay 1 *s.* in Pound out of Wages, for the Use of Poor; and misbehaving, their Warrants may be recalled.

1 Geo. 2. Gunpowder not to be put on Board Ships above *Blackwall*, under the Penalty of 5 *l.* for every fifty Pounds Weight, &c. and no Guns shall be kept loaded with Shot in Merchant Ships, or fired before Rising, or after setting of the Sun; nor shall Pitch, Tar, &c. be melted by Fire

Fire in any Ship, on the like Forfeiture. The Penalties leviable by two Justices of Peace.

Masters of Vessels lying in the *Thames*, having 6 Geo. 2. c. 29. Occasion for Ballast, are to pay so much *per Ton* to the Corporation of *Trinity-House, Deptford*; who shall pay Ballast-men for raising and carrying it, &c.

No Owners of any Ship shall be liable to answer Loss by reason of imbezilling, by the Master or Mariners of any Gold, Silver, &c. put on Board, or for any Forfeiture by them, further than the Value of the Ship. But other Remedy against the Master, &c. of such Ships, not taken away.

See Seamen.

Shoemakers. See Cordwainers.

Silk-throwers.

NONE to exercise the Silk-thrower's Trade, 13 & 14 but such as have served seven Years Apprenticeship to it, on Pain of 40 s. a Month. And Silk-winders, &c. imbezilling Silk, to make such Recompence as Justices shall appoint.

Silk of the Product of *Turkey, East India, &c.* 2 W. & M. prohibited to be imported; but fine Thrown c 9. Silk of the Growth of *Italy*, may be imported. 1 Ann. c. 27.

Allowance made on exporting Silk Manufactures. 11 Geo. 1. c. 29.

Simony.

Simony.

§1 *Eliz. c. 6.* **P**ersons for Money, Reward, Gift, Profit, &c. presenting any Man to a Church Benefice, Dignity, or Living Ecclesiastical, or giving the same in Respect of any such corrupt Cause; the Presentation and Bestowing shall be void, and the Crown may present for that Turn: And the Persons that give or take such Money or Reward, to forfeit double Value of a Year's Profits of the Benefice; and Party so corruptly taking, be disabled to hold it.

12 *Ann. c. 12.* If any Person accept of the next Avoidance of a Benefice, for any Sum of Money, Gift, &c. the Presentation thereupon to be void, and the King shall present, &c.

See *Advowsons.*

Sinking Fund.

13 *Geo. 1. c. 3.* **T**HE Sinking Fund, consisting of Surpluses of other Funds, is appropriated for discharging National Debts incurred before 25 Dec. 1716. provided for by Parliament, in such Manner as shall be directed, &c. And what Money is issued thereout, to be replaced out of next Supplies granted.

1 *Geo. 2. c. 13.* Acts for applying the Produce of the Sinking
 5 *Geo. 2. c. 17.* Fund towards the Supply granted for Service of
 6, 7, 8 & 9 the Years, and in paying off Annuities, &c.

11 *Geo. 2. c. 27.*

Snuff.

Snuff.

Persons mixing Snuff, or colouring it with 1 Geo. 1. c. 46.
 Oker, Umber, Yellow Ebony, Tobacco Dust,
 Sand, &c. to forfeit 3 *l.* for every Pound Weight.

A Duty granted on Snuff imported, from the 12 Geo. 1.
Spanish West-Indies, 2 *s.* 6 *d.* per Pound, and c. 26.
 from *Spain and Portugal*, 5 *s.* &c.

Soldiers.

Soldiers retained, departing from their Colours 18 H. 6. c. 9.
 without Licence, is Felony.

No Officer, &c. to quarter or billet Soldiers 31 Car. 2. c. 1.
 upon any Persons without their Consent.

The first an Act for punishing Mutiny and 4 & 5 W. &
 Desertion, &c. and the second gave Power to M. c. 13.
 Justices to send Warrants for idle Persons, and 2 & 3 Ann.
 deliver them to Officers to recruit the Army; &c.
 and during the Wars 40 *s.* and 4 *l.* Advance-
 Money was given to Soldiers voluntarily listing.

Making a false Muster to forfeit 100 *l.* Pro- 1 Geo. 1. c. 3.
 curing a false Certificate to excuse a Soldier's Ab-
 sence 50 *l.* Penalty. Persons permitting them-
 selves to be falsely mustered, to be committed;
 deemed listed Soldiers; and Horses lent forfeited.
 Paymasters, &c. detaining the Pay of Officers
 and Soldiers a Month, to forfeit 100 *l.* and their
 Places. Constables and Tithingmen, &c. to billet
 Soldiers on Persons keeping Inns, Livery-Stables,
 Alehouses, &c. Officers to give Notice to Inn-
 keepers,

keepers, &c. of receiving the Pay, and their Accounts to be paid before the Money distributed. Persons wandering, suspected to be Deserters, to be apprehended by Constables, &c. who shall receive 20 s. Reward. Officers and Soldiers killing Game, Poultry, &c. without Leave, to forfeit, the former 5 l. the latter 10 s. Officers obliging Waggons to travel more than a Day, or forcing Saddle Horses, to forfeit 5 l. 1 s. per Mile to be paid for Carriages, and Persons not providing liable to a Penalty of 40 s.

1 Geo. I. c.
34, 47.

Every Soldier that shall cause a Mutiny, or Desert, hold Correspondence with Enemies, &c. shall be punished with Death, or otherwise by Court Martial: His Majesty to establish Articles of War, &c. and grant Commissions for holding Courts Martial, which are not to consist of less than thirteen Officers, and in Sentence of Death nine to concur. No listed Soldier to be absent above twenty Days in six Months on any Furlow, unless signed by the Officer in Chief; and Soldiers in *London*, &c. to have no Protection, except they constantly do Duty: Persuading Soldiers to desert, incurs a Penalty of 40 l. and not paying it, Offenders shall be committed to Gaol for six Months, and be set on the Pillory. Papists being Soldiers, to renounce their Religion, or be disabled.

4 Geo. I. c. 4.

5 Geo. I. c. 5. Soldiers not to be taken out of the Service by any Process, &c. but for some Criminal Matter, or a real Debt of 10 l. and if arrested, may be discharged by Justices, &c. When an Officer or Soldier is accused of a capital Crime, he shall be delivered over to the Civil Magistrate, and not be try'd by a Court Martial in eight Days, within which Time Application to be made, and
after

after that the Criminal may be tried by Court Martial.

Officers and Soldiers to pay reasonable Prices 7 Geo. 1. c. 6. for Provisions in their Quarters and on Marches, 9 Geo. 1. c. 4. set by Justices in the Quarter-Sessions. No Officer to be entitled to Half-Pay under sixteen Years of Age, when his Regiment was reduc'd; nor any who did not actual Service in the Army; or Persons having Places of Profit, Chaplains that have Benefices, &c.

Fictitious Names allowed by his Majesty's Order, 11 Geo. 1. c. 6. for maintaining Widows of Officers killed, not to be a false Muster; and the Paymaster General may make usual Deductions for Clothing, and 12 d. per Pound out of Officers and Soldiers Pay, to be disposed as the King thinks fit, also one Day's Pay in the Year for *Chelsea* Hospital. Commissaries are to give Notice to Mayors, &c. 13 Geo. 1. c. 2. to be present at Musters, who shall sign their Rolls: The Surgeon, &c. to certify to Muster-Masters Soldiers sick; and the commanding Officer those employed in raising Recruits, &c.

No Justice of Peace having a Military Office, 3 Geo. 2. c. 2. to be concerned in quartering Soldiers in his Company, &c. Officers Civil or Military, not to quarter Wives, Children, or Servants of any Officer or Soldier in Houses, without Consent of Owners, on Pain of being cashiered, if an Officer of the Army, and forfeiting 20 s. a Constable. Victuallers refusing Soldiers quartered; and Constables receiving Reward for excusing them, to forfeit not above 5 l. nor under 40 s. And if Constables, &c. refuse to billet Soldiers, they shall be fined not exceeding 40 s. or less than 10 s. Officers and Soldiers acquitted of Crimes by

by the Civil Magistrate, may be cashiered by a Court Martial.

- 8 Geo. 2. c. 2. A Person enlisted a Soldier, in four Days to be carried before the next Justice, and declare his Assent, that he did it voluntarily; but if he dissents thereto, returning the Money received, and 20 s. for Charges, to be discharged.
- 9 Geo. 2. c. 30. If any Subject of *Great Britain*, enlist, or enter himself, or any Person procure him to list as a Soldier, to serve any foreign Prince, without Leave of his Majesty, to be guilty of Felony: But such Person, discovering by whom enlisted, &c. shall be indemnified.
- 10 Geo. 2. c. 2. Where Persons receive enlisting Money from an Officer, if they abscond, or refuse to go before a Justice, in order to declaring their Assent, &c. pursuant to the 8 Geo. 2. They shall be deemed to be enlisted, and may be proceeded against as if had taken the Oath directed by the Articles of War.
- 11 Geo. 2. c. 2. His Majesty may form Articles of War, and constitute Courts Martial to try Crimes, and inflict Penalties by Sentence, &c. as well in *Great Britain* and *Ireland*, as in the Island of *Minorca*; *Gibraltar*, and other Foreign Dominions: And if any Officer or Soldier desert the Service beyond the Seas, and escape into this Kingdom or *Ireland*, he shall be tried here.

By an ancient Statute, Justices of Peace have Power to tax Parishes for Relief of maimed Soldiers and Mariners, &c.

South-Sea Company.

FOR paying the Debts of the Navy, &c. a-9 *Ann. c. 21.*
 mounting to above 9,000,000 *l.* Duties upon
 Wines, Vinegar, Tobacco, *East-India* Goods,
 &c. granted to the Crown for ever, and the
South-Sea Company erected. The Company to
 receive Interest at 6 *per Cent.* to be incorporated,
 and purchase Lands not exceeding 1000 *l. per*
Ann. Over and above the Interest, 8000 *l.* a
 Year to be paid out of the Funds towards the
 Management of the Company. Guardians and
 Trustees may subscribe for Infants, Executors
 and Administrators, Mortgagees, &c. Members
 of the Company may be Members of Parliament,
 not liable to the Statutes of Bankrupt, &c. The
 Corporation to have the sole Trade from the
 River *Oroonoco* on the East-side of *America*, to
 the Southermost Part of *Terra del Fuego*, &c.
 and from thence through the *South-Sea*, &c.
 Others trading to the *South-Seas*, to forfeit Ship
 and Goods, and double Value. The Company
 to be Owners of all Islands, Ports, &c. they can
 discover. The Crown may direct 20 *s.* of every
 100 *l.* of the Capital Stock, to be applied for im-
 proving the Fishery of the Kingdom.

Persons entitled to Capital Stock in the *South-* 10 *Ann. c. 19.*
Sea Company, may by Warrant from the Trea-
 sury, borrow Money upon the Credit of the
 Stock, and allow Interest not exceeding 6 *per*
Cent. &c.

This Act gives Power to the Parliament to re- 10 *Ann. c. 30.*
 deem the Funds on Payment of the principal
 Money.

South-Sea Company.

Money and Arrears, &c. but the Corporation to continue for ever, &c.

- 1 Geo. I. c. 21.** This Statute was made for enlarging the Capital Stock of the *South-Sea Company*, and for raising further Monies for Purchase of Annuities after the Rate of 5 *l. per Cent.*
- 3 Geo. I. c. 9.** By this Act the Fund of the *South-Sea Company* at 6 *per Cent.* is redeemed, and a Fund settled on the Company, after the Rate of 5 *l. per Cent. &c.* The Capital Stock declared to be 10,000,000 *l.* and the Company to have an Annuity of 500,000 *l.* for the same: This Company to advance further 2,000,000 *l.* and may borrow Money upon Contracts, make Calls, take in Subscriptions, &c. The Duties by the *Stat. 9 Ann.* and on Coals, Houses, and Salt, are charged with the above Annuity.
- 6 Geo. I. c. 4.** The Parliament to lessen the publick Debts, amounting to 16,000,000 *l.* grant Duties of Excise on Sope, and Paper, &c. to secure the *South-Sea Company* certain Payments: Directors to prepare Books of Accounts; and Company may redeem Debts, by taking in Subscriptions for Stock, &c. The Company to lend the Government 4,156,306 *l.* and raise the Money by making Calls, Subscriptions, or granting Annuities, as they think fit. After Midsummer 1727, upon Payment of the Money borrowed, the Funds granted to cease.
- 7 Geo. I. c. 5, 33.** Acts for restoring Credit: *South-Sea Company* enabled to ingraft Part of their Capital Stock and Fund into the Bank of *England*, and the *East-India Company*. Subscriptions of Annuities into the Company declared good, and Proprietors allowed an Addition of Stock: The Money to be paid the Government remitted; and Special Bail

South-Sea Company.

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not to be required, or Execution had, in Actions brought on Contracts for Sale of Stock.

The *South-Sea* Company may sell and dispose 8 Geo. 1. c. 2. of any Part of their Stock, not exceeding 200,000 *l.* ^{21, 22.} a Year, by Way of Lottery, Subscription, &c. Forging Names, or Powers to transfer Stock, personating Proprietors, &c. made Felony.

The whole Capital Stock of the *South-Sea* Com- 9 Geo. 1. c. 6. pany, computed to amount to about 34,000,000 *l.* to be divided into two Parts; one Moiety converted into Annuities at 4 *l.* per Cent. in lieu of all Dividends; and the other Moiety to remain in the said Company as a joint Stock, 'till redeemed by Parliament, &c. The Company to receive at the Exchequer 845,062 *l.* per Annum, as the Annuity to attend the Moiety turned into *South-Sea* Annuities; which may be assign'd, by Entries in Books, &c.

Act to restrain the Directors of the *South-Sea* 7 Geo. 1. c. Company, &c. from going out of the Kingdom; 1, 28. and raise Money by Sale of their Estates to repair ^{10 Geo. 1. c.} Losses, and disable them to hold any Office, &c. ¹⁴
But Jointures and Titles of Dower of Directors Wives are saved; and Trustees to compound for any Jointure, Right of Dower, &c. wherein if any Difference, the Judges to determine.

Trustees appointed for raising Money on the 2 Geo. 2. c. 8. Estates of the late Directors, discharged of their Trust; and Estates undisposed of, and Produce of those sold, vested in the *South-Sea* Company.

The Stock of the *South-Sea* Company, amoun- 6 Geo. 2. c. 28. ting to about 15,000,000 *l.* shall by this Act be divided in four equal Parts; three thereof to be converted into a new joint Stock of *South-Sea* Annuities, &c. and the remaining fourth Part, shall continue a trading Stock in the Company,

B b

with

Stamp-Duty.

with proportional Shares in the Funds, &c. No Person is qualified to be Governor, unless he has 5000 *l.* trading Stock, a Sub-Governor 4000 *l.* Deputy Governor 3000 *l.* and a Director 2000 *l.* A Person having in his own Right 500 *l.* Stock, to have one Vote, having 2000 *l.* two Votes, &c. And no Bonds to be issued, or paid off, &c. but by Order of a General Court; nor Calls made of Money, without Resolution of the Proprietors.

- 7 Geo. 2. c. 17. It shall be lawful for the *South-Sea Company* to pay the Whole, or any Part of their Bonds, in such Manner as they might before the Act 6 Geo. 2.

See Annuities, *East-India Company*.

Stamp-Duty.

5 & 6 W. &
M. c. 21.

A Stamp-Duty granted of 6 *d.* on Paper and Parchment, whereon Deeds, Bonds Writs, &c. are written; and 1 *d.* for every Sheet on which any Declaration, Pleading, &c. is writ: For Admissions into the Inns of Court, or any Company, Bills, Answers, &c. in Chancery, 1 *s.* Warrants under the Sign Manual, and Commissions out of Ecclesiastical Courts, Judgments, &c. 2 *s.* 6 *d.* Conveyances inrolled, Writs of Covenant for levying Fines, *Habeas Corpus's*, &c. Decrees in Chancery, Licences of Marriage, Probates of Wills, &c. 5 *s.* Letters Patent, Grants of Offices, Presentations, Dispensations, Certificates of Degrees, Admittance of Fellows of the College of

of Physicians, Attornies, &c. Pardons of Crimes, and Reprieves, &c. 40 s.

Persons ingrossing on Parchment or Paper any *Stat. ibid.* Thing charged with the Duty, before stamp'd, incur 5 l. Penalty; and no Deed to be good in Law till paid, and the same is stamp'd, &c. If any Officer fix any Stamp, before Duty paid or secured, he shall forfeit 100 l. And counterfeiting or forging Stamps, is Felony.

By this Statute, the Stamp-Duties upon Paper 9 & 10 and Parchment are doubled; (except in Cases of *W. 3. c. 10.* Pardons, Conveyances inrolled, Licences of Marriage, and Writs for levying of Fines, &c.) and Parchment and Paper to be stamp'd with two Marks.

The Duty of 2 s. 3 d. granted on Instruments 10 & 12 of Surrender or Admittance to any Copyhold *Ann.* Estate; upon every Policy of Insurance 2 s. 4 d. and 4 s. 6 d. on Transfers of Stock.

By this Act the Stamp-Duty upon Deeds, 12 *Ann. c. 9.* Bonds, and Writs, &c. is trebled; and so are many of the other Duties.

A further Stamp-Duty granted of 6 d. upon 12 *Geo. 1.* Parchment, &c. on which any original Writ, or *c. 33.* other Writ, or Process, &c. issuing out of the Courts at *Westminster*, or any inferior Courts are written, where the Debt or Damage amounts to 40 s. Vide *Chancery*.

Staple. See **Recognizances.**

Starch-Powder.

- 10 *Ann. c. 26.* **S**Tarch-powder made for Hair Powder, not to have a Mixture of Alabaster, Lime, &c. on Pain of Forfeiture, and 50 *l.* Barbers, &c. selling or using such Powder to forfeit 20 *l.*
- 4 *Geo. 2. c. 14.* Makers of Starch, to enter Workhouses, and give Notice to Officers for the Duty, when they Box it, under Penalty of 20 *l.* Removing any Starch when dried, before weighed, incurs 50 *l.* Forfeiture; and Officers of Excise may seize Starch concealed, &c. The Hair-powder Makers, mixing with Powder any Chalk, Lime, or other Thing but Starch, are also liable to 20 *l.* Penalty.

Subpena. See *Chancery.*

Suits.

- 11 *H. 7. c. 12.* **P**OOOR Persons having Cause of Action or Suits, shall have original Writs, &c. *Gratis*, and Counsel and Attornies assigned without taking Fees.
- 21 *Jac. 1. c. 16.* This Statute ascertains the Time for Prosecution of all Manner of Suits. See *Actions.*
- 1 *W. & M. c. 8.* This Statute was made for indemnifying Persons from vexatious Suits, who acted as Lieutenants, Deputy-Lieutenants, Justices of Peace, &c. not authorized at the bringing in of King *William.*

In

In all Suits upon Writs of *Scire Facias*, and 8 & 9 W. 3. upon Prohibitions, the Plaintiff obtaining Judgment, or Award of Execution after the Plea pleaded, &c. shall recover his Costs; and if the Plaintiff become Nonsuit, or a Verdict pass against him, &c. the Defendant shall have Costs and Execution for the same.

Merchants, Traders, &c. desiring to end any 9 & 10 W. 3. Suit, Controversy, &c. for which there is no other Remedy but by personal Action or Suit in Equity, may agree that their Submission of the Suit to the Award of Arbitrators, shall be made a Rule of Court. See *Affidavit*.

See more of Suits, Actions, Amendments, &c.

Sunday.

Persons wrestling, bowling, &c. on a Sunday, 1 Car. 1. c. 1. to forfeit 5 s. and using Bear-baiting, Bull-baiting, &c. 3 s. 4 d. or be set in the Stocks three Hours.

Butchers killing or selling Meat on a Sunday to 3 Car. 1. c. 1. forfeit 6 s. 8 d. and Carriers, Drivers, &c. travelling on a Sunday are liable to a Penalty of 20 s. And Persons using Boats on that Day, without License from a Justice, to forfeit 5 s.

Persons doing any worldly Labour on a Sunday (except Works of Necessity) 29 Car. 2. c. 7. to forfeit 5 s. Crying or exposing to Sale any Wares but Milk in the Morning and Evening, forfeit the Wares to the Poor. Processes not to be serv'd on a Sunday.

Superstitious Uses. Swearing, &c.

day (except in Cases of Treason, Felony, &c.) it will be false Imprisonment, and the Service void.

Superstitious Uses.

1 E. 6. c. 4. **W**HEN any Lands or Goods are devised to superstitious Uses, to maintain a Chaplain or Priest to pray for the Souls of the Dead, or Lamp in a Chapel, &c. the Lands and Goods devised to be forfeited to the King.

1 Geo. 1. See the Statute 23 H. 8. under **Portmain:** And **Forfeited Estates**, 1 Geo. 1. c. 50.

Swearing and Cursing.

21 Jac. 1. **B**Y this Statute if any Person swear or curse, he shall forfeit 1 s. for every Offence, or be set in the Stocks three Hours; unless he be under twelve Years of Age, when he is to be whipp'd.

6 & 7 W. 3. **P**ersons probabely swearing in the Hearing of a Justice, or convicted by one Witness, &c. to forfeit 1 s. for every Offence, if a Servant, Labourer, Soldier, &c. and 2 s. every other Person; for the second Offence double, the third treble, or be set in the Stocks, if above sixteen Years old; if under, to be whipp'd. Justices of Peace neglecting to put the Act in Execution to forfeit 5 l.

Tail.

Tail-Estate.

LAND being given in Tail, upon Condition ^{13 E. 1. c. 1.} that if a Man and his Wife die without issue, &c. the Land to revert to the Donor; Persons to whom given, not to alien as they might before this Act, after Issue had, but the Land shall remain to such Issue, or return to the Giver or his Heirs.

Tail-Estates belonging to poor Prisoners discharged to be delivered up to Creditors, as if seized in Fee-Simple. ^{10 Geo. 2. c. 26.}

Taxes.

NO Aid or Tax to be levied without the Assent of the Lords and Commons in Parliament. ^{25 E. 1. c. 1.}

This Statute ordains that People are to be taxed after the ancient Manner. ^{1 E. 3. c. 6.}

No Imposition or Charge to be put upon Wool, &c. other than the Customs, &c. ^{11 R. 2. c. 9.}

Subjects not to be taxed towards any Charge call'd a Benevolence, or any such like Imposition; and such Charge heretofore not to be any Precedent for the future. ^{1 R. 3. c. 2.}

An Aid or Tax granted for keeping the Sea, and preserving Rights. ^{5 R. 2. c. 3.}

A Subsidy of four Shillings in the Pound by the Clergy, to be paid in two Years: Also two

B b 4

Fifteenths,

- 7 E. 6. c. 4 Fifteenths, &c. paid by the Temporality, for Goods.
- 13, 15, 29 Eliz. &c. The Sum of six Shillings *per* Pound, was granted by Subsidy, to be paid in three Years by Clergy; and three Fifteenths and Tenths by the Temporality, &c.
- 16 & 17 Car. 1. c. 14 This Act declares the Proceedings touching Ship-Money, unlawful and void.
- 13 Car. 2. c. 4. An Act for a free and voluntary Present to his Majesty; but declared that no Aids can be levied but by Authority of Parliament, and this Supply not to be drawn into Example.
- 1 Jac. 2. c. 1. An Aid granted to the King on *French* and *East-India* Goods, &c.
- 1 W. & M. Sess. 1. c. 3. An Act for granting an Aid to their Majesties of 68,820 *l.* *per* Month for six Months. A Twelve-penny Poll-Tax was likewise granted, &c.
- 1 W. & M. Sess. 1. c. 20. This Act granted an Aid of 1 *s.* *per* Pound on Lands, &c. for one Year, for the Defence of the Realm. Their Majesties to appoint Commissioners, &c. to levy the Tax on Counties; Tenants to pay and deduct it out of Rents, and not paying shall be levied by Distress, &c. A Fee of 2 *d.* in Pound out of Money allowed the Receiver General, 3 *d.* *per* Pound to Collectors, and 1 *d.* Halfpenny to Commissioners Clerks.
- 1 W. & M. Sess. 2. c. 1. This Act was made for granting an Aid of 2 *s.* in the Pound for one Year.
- 2 W. & M. Sess. 1. c. 2. An Act for raising Money by a Poll for reducing of *Ireland*, &c.
- 2 W. & M. Sess. 2. c. 1. This Act grants to their Majesties an Aid of 1,651,702 *l.* 18 *s.* for one Year.
- 3 & 4 W. & M. c. 5. The same continued by this Act.

An Act for granting an Aid of 4 s. in the 4 W. & M. Pound on Lands, &c. for one Year, for carrying on the War against France.

The preceding Act continued. 5 W. & M.

An Act for raising Money by a Poll, to be executed by the Commissioners of the 4 s. Aid. 5 & 6 W. & M. c. 14.

This Statute grants a Stamp-Duty on Parchment, Paper, &c. See Stamp-Duty. 5 & 6 W. & M. c. 21.

An Act for granting an Aid of 4 s. in the 6 W. 3. c. 3. Pound for one Year.

This Statute impos'd a Tax on Burials, Births, Marriages and Bachelors. See Burials. 6 & 7 W. 3. c. 6.

This Act granted a Duty on Glass, Stone and Earth Bottles, &c. 6 & 7 W. 3. c. 18.

An Act for granting 4 s. in the Pound on Lands, &c. for one Year. 7 W. 3. c. 5.

This Act grants a Duty on Windows. Continued for ever by 5 Ann. Vide Window-Tax. 7 & 8 W. 3. c. 18.

Car.

An Act for granting to his Majesty an Aid by a Laud-Tax of 3 s. in the Pound. 8 W. 3. c. 6.

This Statute lays a Tax on Leather. 8 & 9 W. 3. c. 21.

An Act for granting 1,484,015 l. for one Year, to be levied on the several Cities, Towns, Counties, &c. in the Act mentioned. 9 & 10 W. 3. c. 10.

This Act grants additional Stamp-Duties on Parchment, Paper, &c. 9 & 10 W. 3. c. 25.

Acts for granting 4 s. in the Pound for one Year. 10 & 11, & 11 & 12 W. 3.

All Acts for granting 4 s. in the Pound on Lands. 1, 2, 3, 4, 5 & 6 Ann.

The like for those Years. 7, 8, 9 & 10 Ann.

These two Acts granted 2 s. in the Pound on personal Estates in England and Scotland. 11 & 12 Ann.

By these Statutes an Aid was granted by a Land-Tax at 2 s. in the Pound. 1 & 2 Geo. 1.

These

- 3 & 4 Geo. 1. These Acts grant 3 s. in the Pound on Lands in those Years.
- 5, 6 & 7 Geo. 1. Acts granting to his Majesty 3 s. in the Pound on Lands, Tenements, &c. with Clauses of Loan for 1,410,000 l. at 5 l. per Cent.
- 8 Geo. 1. A Land-Tax Act for 2 s. in the Pound, and Clause of Loan of 940,000 l. at 4 l. per Cent.
- 9, 10, 11, 12 Geo. 1. Acts for granting 2 s. in the Pound on Lands, &c. with usual Clauses of Loan.
- 13 Geo. 1. A Tax of 4 s. in the Pound granted on Lands; and Clause of Loan for 2,000,000 l.
- 1, 2 Geo. 2. Acts granting a Land-Tax of 3 s. in the Pound.
- 3 & 4 Geo. 2. Acts for 1 s. in the Pound on Lands, &c.
- 5 & 6 Geo. 2. Acts laying 1 s. in the Pound on Land, with Clause of Loan at 3 per Cent.
- 7, 8 & 9 Geo. 2. Acts granting 2 s. in the Pound on Lands, with usual Clauses of Loan of 1,000,000 l.
- 10 & 11 Geo. 2. Like Acts for granting 2 s. in the Pound on all Lands, &c.
- The Statute 10 Ann. c. 19. grants a Duty on Cards. And for the Tax on Candles, Soap, &c. See **Customs**, and **Candles**.

Taylors.

- 7 Geo. 1. c. 13. **C**ontracts entered into by Journeymen Taylors, &c. for raising Wages, &c. void. Taylors giving greater Wages than this Act allows, to forfeit 5 l. And Journeymen accepting it, or refusing to serve for Wages appointed, shall be sent to the House of Correction for two Months.

Masters not paying lawful Wages, Justices of Peace to levy it by Distress, &c.

See Buttons.

Tenures and Services.

NO Freeman to sell so much of his Lands, 9 H. 3. c. 32; but that the Lord may have Services of the Residue.

In all Feoffments to a Man and his Heirs, 18 E. 1. the Feoffee shall hold Land of the chief Lord, by same Tenure and Service as the Feoffor.

Lands coming to the King by Attainder of 7 E. 4. c. 5. Treason, afterwards granted to another, to be holden as if no Attainder.

Tenures by Knight's Service, &c. taken away; 12 Car. 2. and all Tenures turn'd into free and common c. 23. Socage.

Term adjourn'd. See Judicial Proceedings.

Tithes.

FOR Tithes, Oblations, Mortuaries, &c. 9 E. 2. c. 1. when they are propounded under those Names, the King's Prohibition shall not take Place; but for Tithes lodged in a Barn, and sold for Money, if the same be demanded before a Spiritual

tual Judge, for this a Prohibition lieth; for by the Sale they are made Temporal.

18 E. 3. c. 7. No *Scire Facias* shall be awarded to warn a Clerk to answer for his Tithes before a secular Judge.

27 H. 8. c. 20. On Complaint to two Justices of Peace by a Judge of the Ecclesiastical Court, they may commit a Defendant in a Suit depending for Tithes, for Contumacy, &c.

28 H. 8. c. 11. Tithes, &c. belong to the Presentee towards Payment of the First-fruits. An Incumbent may make his Will of Grain sown upon the Glebe.

31 H. 8. c. 7. All Persons duly to set forth and pay Tithes, and if they are not set out and paid, the Party grieved may convene those as detain them before the Ecclesiastical Judge, who has Power to hear and determine; and to adjudge Costs on an Appeal. Persons refusing Payment after Sentence to be committed by two Justices on Certificate from the Judge.

2 & 3 E. 6. c. 13. None to carry away Tithes before he has justly divided and set forth the tenth Part, or agreed for the same with the Parson or other Proprietor, on Pain of treble Value. Barren Heath and waste Ground improved to pay Tithes after seven Years. Suits for subtracting or withdrawing of Tithes to be prosecuted in the Ecclesiastical Court, the Judge whereof may excommunicate Persons disobeying the Sentence. Persons exercising Merchandize, &c. to pay personal Tithes, the Tenth Part of clear Gains, &c. and Offerings to be paid, &c. as heretofore.

13 El. c. 10. Compositions for Tithes to be made by the concurrent Consent of the Parson, Patron and Ordinary.

Persons

Persons sowing Hemp or Flax shall pay to every 3 *W. & M.*
Parson, Vicar, &c. 4 s. per Acre for Tithes. c. 3.

Persons subtracting or withdrawing, or failing 7 & 8 *W. 3.*
in the Payment of small Tithes under 40 s. on c. 6
Complaint, two Justices may summon them to
appear, and examine and determine the Com-
plaint, and under Hand and Seal, adjudge the
same, and give Costs not exceeding 10 s. Ne-
glecting to pay the Sum adjudg'd, to be levied
by Distress of Goods, &c. which may be sold in
three Days. Complaint to be made in two Years;
and Persons agrieved by the Judgment of the two
Justices, may appeal to the Quarter-sessions.

Quakers refusing to pay or compound for great 7 & 8 *W. 3.*
or small Tithes, or to pay Church-rates, the two c. 34
next Justices may upon Complaint convene them
before them, examine upon Oath, ascertain what
is due to the Parties complaining, and order Pay-
ment not exceeding 10 l. On Refusal of Pay-
ment to be levied by Distress, &c.

The Act 7 & 8 *W. 3.* is made perpetual by 3 & 4 *Ann.*
this Statute. c. 18.

See 1 *Geo. 1. c. 6. Quakers.*

Tobacco.

NONE shall plant Tobacco in *England, 12 Car. 2.*
Wales, &c. on Pain to forfeit 40 s. for c. 34
every Rod of Ground planted. But this Act not
to hinder planting Tobacco in Physick-gardens.

By

17 Car. 2. c. 7. By this Act the Penalty is encreased to 10 l. for every Rod of Ground planted with Tobacco in *England*.

22 & 23 Car. 2. c. 26. Justices of Peace to issue Warrants to Constables, &c. to search for Tobacco sown, planted, or made, and destroy the same. Not destroying it to forfeit 5 s. for every Rod of Ground. Persons resisting the Constable to forfeit 5 l.

4 & 5 W. & M. c. 24. This Statute continues the 22 & 23 Car. 2. c. 7.

1 Geo. 1. c. 46. Persons cutting Walnut-tree Leaves, Hop-Leaves, &c. or colouring them to make them resemble Tobacco, or selling the same mix'd with Tobacco, forfeit 5 s. for every Pound.

Toll.

3 E. 1. c. 30. **O**N excessive Toll taken in Market Towns, by Consent of Lords, the Franchises shall be seised; but if done by a Bailiff, &c. he to make Restitution, and be imprisoned.

31 E. 1. Toll of a Mill shall be according to Custom, and the Strength of the Water, to 20th or 26th Corn; and by Measure agreeable to the King's Standard, not by Heap, &c. And Millers not to take more than due Toll, on Pain to be grievously amerced.

22 Car. 2. c. 8. See this Statute; and **Fairs and Markets**.

Trade.

BY this Statute all the King's Subjects were to 3 Jac. 1. c. 6.
have a free Trade with *France, Spain, &c.*

All Persons residing in *England* may trade to 25 Car. 2.
and from *Greenland* to take Whales, &c. c. 7.

This Statute prohibits all Trade with *France* 1 W. & M.
(during the War) and importing Goods declar'd *Seff. 1. c. 34*
a common Nuisance, and the Commodities may be
seised and burnt. The Vessels with their Furni-
ture, &c. to be forfeited; and the Importer,
and Persons in whose Custody Goods are found,
to forfeit the full Value; and for the second Of-
fence double, &c. Landing Goods, or assisting,
&c. incurs a Penalty of 500 *l.*

This Statute continues the preceding, and re- 4 & 5 W. &
gulates the Business of Prizes taken from the *M. c. 25*.
Enemy, &c. See *Pirates*.

Iron, Copper, &c. may be exported, except 5 & 6 W. &
to *France*, during the War. *M. c. 17.*

By this Statute Watches, Sword-hilts, wrought 9 & 10 W. 3.
Plate, and other Silver Manufactures made with- c. 28.
in this Kingdom may be exported in Trade.
Watches, &c. to have the Maker's Names, &c.
on Pain of 20 *l.*

No Foreign Silks known by the Name of *Ala-* 9 & 10 W. 3.
modos or *Lustrings* to be imported in this King- c. 43.
dom, but at the Port of *London* only. Counter-
feiting the Custom-house Marks or Seals for *Ala-*
modos, &c. to forfeit 500 *l.*

Persons trading to *Newfoundland* to have Free- 10 & 11
dom of Fishing, &c. Every Fishing-ship as shall *W. 3. c. 25*.
first enter any Harbour or Creek in *Newfound-*
land, shall be Admiral of the said Harbour for
that

that Season; and such Admiral to determine Differences between the Masters of Fishing-ships and the Inhabitants there, &c.

6 Ann. c. 3. The Company trading to the *Indies* to give Security for their bringing Goods laden without breaking Bulk to *Great Britain*, the Dangers of the Seas, Enemies, &c. excepted, 2500 *l.* for every 100 Ton.

9 Ann. c. 8. The Prohibition of Trade to *France*, as far as it relates to *French* Wines, repeal'd; and *French* Wines may be imported in any Ships of 70 Tons Burden, paying the Duties, and importing them directly from *France* to *Ireland*, and from thence to *England*. The Ships to take on Board here *English* Goods to the Value of the Wines, &c.

3 Geo. I. c. 1. Act to enable his Majesty, to prohibit all Trade with *Sweden*; and Persons trading thither, the Goods imported with Ships to be forfeited, &c.

8 Geo. I. c. 8. Trade with Countries infected with the Plague to be prohibited.

See Merchants, Shipping, &c.

Treason.

25 E. 3. c. 2. **T**O compass or imagine the Death of the King, Queen, or Prince; or to violate the Queen, the King's eldest Daughter, or the Prince's Wife; to levy War against the King, or adhere to his Enemies, to counterfeit the King's Seal or Money, or bring into the Realm counterfeit Money, &c. declared High Treason. A Servant

vant killing his Master, a Wife her Husband, a Priest his Prelate, is petty Treason.

Treason committed out of the Realm to be en- 26 H. 8. c. 13. quired of in such County, and before such Persons as the King shall appoint. And Offenders convicted to forfeit to the King all Lands, Tenements and Hereditaments in the King's Dominions at the Time of the Treason committed.

This Statute requires that Treasons committed 35 H. 8. c. 2. out of the Realm shall be tried in B. R. by lawful Men, as if the Offence had been committed in the County of *Middlesex*.

This Statute enacted, That to affirm the King 1 E. 6. c. 12. is not Supreme Head of the Church, to interrupt any Person to whom the Crown is limited, or endeavour to depose the King, affirm by Writing the King is an Usurper, Tyrant, &c. should be Treason. But these are repeal'd by 1 M.

Treason committed out of the Realm to be 5 & 6 E. 6. tried in such County as the King shall think fit, c. 11. &c. And all Process, &c. to be good in Law, as if the Offender were resident in that County. The Party within one Year after Outlawry or Judgment may surrender himself to the Chief Justice of *England*, and traverse the Indictment, &c. None to be attainted of Treason but by the Testimony of two lawful Witnesses, who shall be brought before the Party. The Wife to lose her Dower, where the Husband is attainted of Treason, so long as the Attaint continues.

No Act or Offence shall be Treason, but such 1 M. Sess. 12. as are declared to be so by 25 Ed. 3. c. 1.

To counterfeit Foreign Coin made current, or 1 M. Sess. 12. the Signet Manual, Privy Seal, &c. adjudg'd c. 6. High Treason.

- 1 & 2 P. & M. c. 10. Trial of Treason to be according to the Course of the Common Law; Concealment of High Treason declared Misprision of Treason.
- 5 Eliz. c. 11. Clipping, Washing, Filing, &c. of Money, the Coins of these Realms, or current here, adjudged High Treason; but no Corruption of Blood, nor Forfeiture of Dower.
- 18 El. c. 1. Impairing, diminishing, lightening, &c. of Money for Lucre-sake, made Treason, and the Offenders, Accessaries, &c. to suffer Death, and forfeit Goods and Chattels, and Lands during Life.
- 13 Car. 2. c. 1. Intending Death or bodily Harm, maiming, wounding, or a Restraint of the King's Person; or to depose him, or levy War against him, or incite an Invasion; and such Intentions declared by Printing, Writing or Speaking, the Offenders adjudged Traitors.
- 3 & 4 W. & M. c. 13. Persons sending any Arms, Powder, Masts, Cordage, &c. to *France* during the War, declared Traitors. Persons embarking for *France* without their Majesty's License, guilty of High Treason.
- 7 W. 3. c. 3. Persons indicted for High Treason, where Corruption of Blood may be made, are to have a Copy of the Indictment five Days before they are tried, to advise with Counsel, &c. and shall be admitted to make a full Defence by Counsel learned in the Law, make any Proof by lawful Witnesses, &c. The Indictment to be found in three Years after the Offence committed, except it be for any Attempt on the King's Person.
- 9 W. 3. c. 1. All Persons who voluntarily went into *France* without License during the War, or have born Arms under the *French* King, or King *James*, and return without License, adjudg'd guilty of Treason.

Treason. Holding Correspondence with, remitting Money to, or accepting any Charter, Pardon or Grant from the late King *James*, declared High **Treason**.

This Act was made for the Attainder of the 13 *W. 3. c. 3.* Pretender, of High **Treason**; corresponding with him, paying Money for his Use, &c. declared High **Treason**.

Endeavouring to set aside the Succession after 1 *Ann. c. 2.* her Majesty, made High **Treason**.

Affirming by Writing or Printing, that the 4 *Ann. c. 3.* Queen is not lawful and rightful Queen, that any other Person hath Right to the Crown, otherwise than according to 1 *W. & M. &c.* adjudg'd High **Treason**.

Persons guilty of High **Treason** to be tried before 1 *Geo. 1. c. 33.* such Commissioners of Oyer and Terminer, and in such County as the King shall think fit, by lawful Men of the same County, as if the Fact had been there committed. This Act was made on the Rebellion, and only extends to Persons in Arms, &c.

See Attainder, Coin, Crown, Evidence.

Trespass.

NO Person to have Writs of **Trespass** before 6 *E. 1. c. 8.* Justices, unless he make Oath that the Goods taken away were worth 40 s. &c.

In Actions of **Trespass**, &c. where the **Tres-** 21 *Jac. 1.*
pass is by Negligence, or involuntary, the De- c. 16.

C c 2

pendant

Trials. Truces.

endant shall be admitted to plead a Disclaimer, &c. and to offer sufficient Amends, &c.

23 *Car. 2. c. 9.* In Trespas, if the Jury give not 40 s. Damages, the Plaintiff shall have no more Costs than Damages.

8 & 9 *W. 3. c. 11.* Plaintiff to recover Damages and full Costs of Suit, where a Trespas is wilful and malicious.

Trials.

31 *Car. 2. c. 2.* **W**Here any Persons are committed to Prison for Treason or Felony, upon Prayer in open Court the first Week of the Term, or Day of Sessions, they shall be brought to Trial: If not indicted the next Term or Sessions, on Motion to be let out upon Bail, unless the King's Witnesses are not ready; and if not tried the second Term, &c. shall be discharged.

By Virtue of the *Habeas Corpus Act.*

Truces.

3 *H. 5. c. 6.* **C**onservators appointed in Ports, to punish Offences done upon the Sea against Truces and safe Conducts: Masters of Ships to be sworn by the Conservators, not to attempt any Thing against the Truce, &c. And two Men learned in the Law joined to them as Associates.

4 *H. 5. c. 7.* When Truce is broken at Sea, Letters of Request shall be granted to make Restitution, and Letters of Mart, &c.

Uagrants.

Vagrants.

S Turdy Vagrants begging, &c. guilty of a second Offence, were to be executed as Felons. *27 H. 8. c. 25.*
Rep.

Vagabonds wandering shall be whipp'd openly, by Appointment of any Justice, &c. till their Bodies be bloody, and sent from Parish to Parish to Places of Birth, &c. *39 Eliz. c. 4.*

A Justice of Peace may cause Vagrants to be whipp'd, if found begging, wandering or mifordering themselves. *21 Jac. 1. c. 28.*

This Statute orders a Tax to be made for imburfing Charges of conveying Vagrants to the House of Correction, &c. *13 & 14 Car. 2. c. 12.*

This Statute directs the paffing of Vagrants by Justices, &c. and an Allowance to be made for it at the Quarter-Sessions, &c. *11 & 12 W. 3. c. 18.*

Wandering Patent Gatherers, Fencers, Players of Interludes, Jugglers, Fortune-tellers, Persons leaving their Families, &c. adjudged Vagrants. Two Shillings to be paid as a Reward for apprehending Vagrants, &c. Not apprehending to forfeit 10 s. Constables to make Privy Searches before the Quarter-Sessions. Persons apprehended to be brought before a Justice, examined, and pass'd to the Place of Birth, &c. Refusing to be examined, &c. adjudged incorrigible Rogues. The Justice to give the Constable a Certificate, ascertaining how the Vagrant is to be conveyed, &c. The next Constable to cause the Vagrant to be whipp'd, &c. and convey him to the next County by a new Certificate, &c. Justices to appoint Rates for passing Vagrants at so much a Mile,

Viſtuallers. View on Actions.

Vagrants brought from *Ireland*, &c. to be re-conveyed, &c. Those who have begg'd two Years, &c. to be sent to the Plantations for seven Years. Constables to remove idle Persons, blind, lame, &c. begging in Streets, and to whip them. Furious Lunaticks wandering to be apprehended and pass'd as Vagrants, &c.

Viſtuallers.

- 23 E. 3. c. 6. **V**ISTUALLERS to sell their Viſtuals at reasonable Prices, or forfeit double Value.
- 7 & 13 R. 2. c. 8. All Viſtuallers, Fishmongers, Poulterers, &c. coming with Viſtuals to *London*, to be under the Governance of the Lord Mayor and Aldermen, &c.
- 12 E. 4. c. 8. No Persons other than Mayors, Bailiffs, Lords of Leets, &c. shall be Searchers of Viſtuals, on Pain of 40 l.
- 25 H. 8. c. 2. The Price of Viſtuals in all Places, except Corporations, to be assessed by Justices.
And Beef, Mutton, or other Viſtuals, not to be transported.
-

View on Actions.

- 13 E. 1. c. 48. **V**IEW of Land not to be granted but where it is necessary.
- 12 E. 2. View shall be granted in a Writ of Advowson of a Church, in a Writ of Customs and Services,

Union of Churches. Voucher.

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vices, &c. And by 4 & 5 Ann. may be had 4 & 5 Ann. in any Action, and by special Writ six of the^{c.} 16. Jurors to have the Matters in Question shewn to them, some Time before Trial; and the View to be return'd, &c.

Union of Churches.

CHURCHES not above the yearly Value of 6 *l.* 37 *H. 8. c. 21.* in the King's Books, and lying contiguous, by Assent of the Ordinary, Patron, and Incumbent, may be united.

In Cities, Corporations, &c. Churches and 17 *Car. 2. c. 3.* Parishes to be united, by the Bishop, chief Officers of the Place, and Patrons, &c. But where the Maintenance of Churches exceeds 100 *l.* a Year, the Major Part of Parishioners to consent.

University. See Oxford and Cambridge.

Voucher.

IN a Writ of Entry in the Degrees, none to 3 *E. 1. c. 40.* vouch out of the Line. In Writs of Right and Possession a good Counterplea, that neither the Vouchee nor his Ancestors had ever Seisin of the Land, or any Thing in the Services, by the Hand of the Tenant, so as to make a Feoffment to him with Warranty, &c.

C c 4

Where

- 13 E. 1. c. 6. Where a Tenant's Vouchee dischargeth himself of the Warranty, or he denieth the Warranty, and it is tried against him, he shall lose his Land.
- 14 E. 3. c. 18. The Demandant may aver a Vouchee to be dead, where the Tenant voucheth a Person deceased to Warranty.

Use.

- 1 R. 3. c. 1. **A**LL Grants, Conveyances, Recoveries, &c. made by *Cestuy que use* being of full Age, &c. to be good against the Makers and their Heirs, &c.

- 3 H. 7. c. 4. Deeds of Gift of Goods and Chattels made in Trust for the Use of the Grantor, to be void.

- 27 H. 8. c. 10. Those to whose Use any Person stands seiz'd of Manors, Lands, &c. by reason of any Feoffment, Fine, or Covenant, &c. are adjudg'd in Possession and Seisin, and the Estate, Right, &c. to be in them; for whoever hath the Use, is judged in Possession. Where an Estate is made to a Husband and Wife, and the Heirs of their two Bodies, &c. or for the Wife's Life, &c. for her Jointure, the Wife shall not have Dower, unless the Jointure be made after Marriage; when she may refuse it, and take her Dower after her Husband's Death. See **Superstitious Uses**.

Usury. See Interest of Money.

- 3 H. 7. c. 6. Unlawful Usury solicited by Brokers, incur'd a Penalty of 20 l. the Pillory, and Half a Year's Imprisonment by this Act.

Wagers,

Wagers.

BY this Statute all Wagers laid upon a Controversy ^{7 Ann. c. 17.} Agency relating to the War, and all Securities, &c. to be void, and Persons concerned to forfeit double the Sums laid, &c.

Wales.

WALES was united to *England* by this old ^{12 E. 1. Stat.} Statute; and divided into Counties, &c. ^{Wallia.}

Lords of the Marches of *Wales* perpetually ^{28 E. 3. c. 2.} annexed to the Crown of *England*, and not the Principality of *Wales*.

All Persons in *Wales*, upon Warning, to appear in proper Person at Courts held, and do Suit and Service, on Pain of Fines and Amerciaments. But none to come arm'd in Affray of the Peace, &c. ^{26 H. 8. c. 6.}

All the King's Subjects may pass freely on ^{27 H. 8. c. 7.} Horseback or on Foot, and with Cattle, Wares, &c. through all the Forests of *Wales*, without paying any Exactions, &c.

By this Statute *Wales* is incorporated and united ^{27 H. 8. c. 26.} with *England*, and all Persons born there to enjoy all Liberties as those born in *England*; and Lands to descend there according to the *English* Laws. The Laws of *England* to be executed in *Wales*. The King to appoint Sheriffs of Counties, and to have a Chancery and Exchequer at *Brecknock* and *Denbigh*. Officers of Law and

and Ministers to keep Courts, &c. in the *English* Tongue. *Welsh* Laws and Customs to be enquired into by Commission, and such of them as shall be thought fit, continu'd. The Laws and Customs of the three Counties of *North Wales*, and of the County Palatine of *Lancaster* are saved.

34 & 35
H. 8. c. 26.

Wales to be divided into twelve Counties; a President and Council to remain in *Wales* and the Marches thereof with Officers, &c. Two Justices to be appointed to hold Sessions twice a Year, and determine Pleas of the Crown, Pleas of Assises, &c. Mayors and Head Officers of Corporations may hold Pleas and determine Actions, so as they observe the Laws of *England*. Justices of Peace, &c. to be appointed as in *England*, &c. Freeholders may pass upon a Jury in all Causes Criminal and Civil, but not on Attaint, unless they have 40 s. per Annum.

18 Eliz. c. 8. The Crown may appoint two other Persons learned in the Laws to be Judges in each of the *Welsh* Circuits, which had but one Justice before, or grant Commissions of Association, &c.

27 El. c. 9. This Statute was made for regulating the Fees and Proceedings in passing Fines and Recoveries, and for erecting an Office for Inrollments, &c. in *Wales*.

19 Car. 2. c. 5. The Act 17 Car. 2. c. 7. to be in Force in all Causes of Replevin, in the Court of the Great Sessions of *Wales*, &c.

7 & 8 W. 3.
c. 38. Persons inhabiting in *Wales* may give and dispose of their Goods and Chattels, &c. by Will, in like Manner as may be done within any Part of the Province of *Canterbury* or elsewhere.

11 & 12
W. 3. c. 9. None to be held to Bail in small Actions in *Wales*, or the Counties Palatine, unless Affidavit be made that the Cause of Action is 20 l. or upwards.

wards. Jurors returned to try Issues in *Wales* to have 6 *l.* a Year of Freehold or Copyhold above Reprizes.

The Prince of *Wales* as Duke of *Cornwal* and 1 *Geo. 2. c. 5.*
Earl of *Chester*, to appoint Sheriffs and other Officers in those Counties.

In Actions where the Debt, &c. amounts not 6 *Geo. 2. c. 14.*
to 10 *l.* in the Court of Great Sessions in *Wales*,
&c. the Plaintiff shall sue out a Writ or Process,
and serve the Defendant with a Copy eight Days
before holding the said Court, &c. who shall ap-
pear at Return, or before the third Court: And
if he appears not then, Plaintiff on Affidavit of
Service, to enter an Appearance for the Defen-
dant, &c.

Warranty.

IN Deeds containing Clause of Warranty of 4 *Ed. 1. c. 6.*
Lands, &c. to be holden of the Feoffor and
his Heirs, by certain Service, he and the Heirs
are bound to warranty; but if the Land is to be
holden of the Chief Lord of the Fee, or of others,
reserving no Service to the Feoffor and his Heirs,
the Heirs shall not be bound, but himself only
during Life.

Where Tenant by Curtesy aliens his Wife's 6 *Ed. 1. c. 3.*
Land, the Son (having no Assets by Discent) may
recover the Lands of the Seisin of his Mother,
tho' his Father's Deed mentions that he and his
Heirs shall be bound to warranty; but if Land
descend to the Heir of the Father's Side, he shall
be barred to the Value of that Inheritance.

11 H. 2. c. 27. The Warranty of the Father to be no Bar to his Son, for Lands coming by Heritage of the Mother; nor of the Mother be binding to the Son, for Land of the Heritage of the Father, &c.

4 & 5 Ann. c. 16. Warranty by Tenant for Life, &c. and collateral Warranties of Land made by any Ancestor, who hath not an Estate of Inheritance in Possession, shall be void against him in Reversion, and the Heir.

See Amendment.

Waste.

52 H. 3. c. 17. **W**ASTE shall not be committed by Guardians, nor any Sale made of Lands, &c.

6 E. 1. c. 5. Action of Waste is maintainable against Tenant by the Courtsey in Dower, for Life or Years, and treble Damages recoverable.

23 E. 1. c. 14. The Processes in an Action of Waste to be Summons, Attachment, and distress; a Writ of Enquiry shall be granted to inquire of the Waste, &c. Action of Waste maintainable by one Tenant in Common against another of Wood, &c.

20 E. 1. c. 2. An Action of Waste is maintainable by the Heir for Waste done in his Ancestor's Time.

11 H. 6. c. 5. Waste is also maintainable by the Reversioner against Tenant for Life or Years, that aliens his Estate to a Stranger, who afterwards commits Waste, he still receiving the Profits.

8 & 9 W. 3. c. 10. By this Statute the Plaintiff shall have Costs in all Actions of Waste where the Damages found do not exceed twenty Nobles; which he could not

not at Common Law. The Jury to have a View in a Writ of Waste.

Watch.

Night-Watches to be set between *Ascension* 13 E. 1. c. 4. Day and *Michaelmas*, from Sun-set to Sun-rising, with six Men at every Gate in Cities, and four in Towns, &c. who must be able Persons, &c. and are to arrest Strangers suspected, &c.

This Statute orders Watch to be kept on the Sea-Coasts; and in that Case, the Statute of *Winchester* shall be observed: Justices in Sessions to punish Default of Watches.

Acts for regulating the Watch, in the Parishes 8 Geo. 2. of St. James, St. George, *Hanover Square*, St. 6. 15. *Martin in the Fields*, St. Paul *Covent Garden*, 9 Geo. 2. c. 8, St. Margaret, and St. Anne *Westminster*, &c. 13, 17.

The Vestries of the Parishes are to meet once or twice a Year, and chuse Watchmen and Beadles, appoint Stands, and what Wages and Allowances shall be made them; and may make Orders for their better Government, &c. Also Vestries shall assess Houses to defray the Charge of Watchmen, &c. not exceeding 4 d. in the Pound of yearly Value; and Collectors to account, &c. The Time of Watching is appointed: And Watchmen to apprehend all Night-Walkers, Rogues, Vagabonds, &c. and deliver them to the Constable of the Night, who shall carry them before a Justice, &c.

The

10 Geo. 2.
c. 25.
11 Geo. 2.
c. 35.

The like Acts to regulate the nightly Watch and Beadles of the Parish of *St. Andrew Holborn*, and *Christ-Church* in the County of *Middlesex*, as 9 Geo. 2. for other Parishes within the Liberty of *Westminster*, &c. Trustees to be chosen by the Inhabitants, and Money may be raised by a Pound-Rate, leviable by Justices Warrant.

Watches and Watchmakers. See **Trade.**

Watermen.

2 & 3 P. & M. c. 16. **E**ight Watermen to be chosen by the Court of Aldermen in *London*, for Overseers to keep good Order amongst the rest. Two Watermen not to ply but where one of them hath exercised the Profession two Years, and been allowed by the Overseers under the known Seal; and a single Man not retained as an Apprentice or Servant one Year at least, not to use the Profession. Wherries to be twelve Foot and a Half long, and four Foot and a Half broad in the Midship, or be liable to Forfeiture. Watermens Names to be registred by the Overseers; and the Affairs of Watermen to be assessed by the Court of Aldermen, which is to be subscribed by two of the Privy Council.

1 Jac. 1.
c. 16.

Watermen not to retain any Servant, &c. as hath not been Apprentice to a Waterman five Years; and not an Apprentice under eighteen Years of Age, or for less than seven Years, under the Penalty of 10 *l.* Watermens Sons at the Age of sixteen may carry Passengers from Place to Place.

Lighter-

Lightermen, &c. on the *Thames* between ^{11 & 12} *Gravesend* and *Windſor* to be of the Society of ^{W. 3. c. 21.} Watermen and Wherry-men, who are hereby made a Company. The Lord Mayor and Court of Aldermen yearly to elect eight of the beſt Watermen, and three of the beſt Lightermen, to be Overſeers and Rulers. The Watermen to chuſe Aſſiſtants not exceeding ſixty, nor leſs than forty, and the Lightermen nine at the principal Stairs, for preſerving good Government. Auditors of Accounts to be appointed; and the Rulers, Auditors and Aſſiſtants may make Rules to be obſerved under Penalties. The Lord Mayor and Aldermen and Juſtices of Peace on Complaint of Overſeers, &c. to hear and determine Offences, &c. The Rulers, &c. on their Court-Days, to appoint forty Watermen to ply on Sundays between *Vaux-Hall* and *Limehouſe*, for carrying Paſſengers croſs the River, and the Rulers to pay them for their Labour, and apply the Overplus of the Money to the poor decayed Watermen, &c.

By this the Statute 1 *Jac.* 1. is repealed; and ^{4 & 5 Ann.} Rules and Orders made by Virtue of ^{11 W. for c. 13.} reſtraining Watermen, &c. free of the Company from taking Apprentices declared void: And the Court of Lord Mayor and Aldermen of *London* may alter and amend By-Laws relating to the Company of Watermen. On Notice of the Commiſſioners of the Admiralty, Watermen to appear before the Company, to be ſent on board the Fleet. Not appearing, to ſuffer one Month's Impriſonment, and be diſabled for two Years.

No Waterman on the River *Thames* to take ^{2 Geo. 2.} an Apprentice or Servant, without regiſtring his ^{c. 26.} Habitation with the Clerk of the Company; and Apprentices ſhall not have the Care of any Boat
till

Watermen.

'till sixteen Years of Age, &c. unless they have work'd with some Waterman two Years, under the Penalty of 10 s. If any Person, not having served seven Years to a Waterman, &c. row any Boat for Hire, he shall forfeit 10 l. leviable by the Lord Mayor, or Justices of Peace by Distress, &c. But Gardeners Boats, Dung-Boats, Wood-Lighters, Western Barges, &c. are excepted.

10 Geo. 2.
c. 31.

Watermen upon the *Thames* not to have any Apprentice under fourteen Years old, and no more than two Apprentices at one Time, on Pain of 10 l. No Person working any Tilt-Boat, Row-Barge, &c. to take in above thirty-seven Passengers, and three by the Way; nor in any other Boat above eight Passengers, and two by the Way, on Forfeiture of 5 l. for the first Offence, and 10 l. for the second, &c. And if any Person be drown'd, where greater Number taken in, the Watermen to be guilty of Felony, and transported. And the Tilt-Boats used between *London Bridge* and *Gravesend*, shall be fifteen Tons and not under, and other Boats three Tons; and if Tilt-Boats on ringing a Bell do not proceed in their Voyage with two sufficient Men, without putting ashore within two Miles, they shall forfeit 5 l. Persons navigating flat bottom'd Boats, or Barges, not subject to Penalties.

War-Chandlers, Deceits, &c. See
23 Eliz. c. 8.

Wears.

ALL Wears to be put down, except on the 9 H. 3. c. 23.
Sea-Coasts.

Commissions granted to Justices to keep the 1 H. 4. c. 12.
Waters, and survey Wears, Mills, &c. And they
are to inquire of, and correct Abuses.

Persons not putting down Wears, &c. where 4 H. 4. c. 11.
required to be reform'd, liable to be fined, by 12 Ed. 4. c. 7.
these Statutes.

Commissioners appointed to prevent Exactions 3 Geo. 2. c. 11.
of Occupiers of Wears, and Locks, &c. on the
Thames from *London* to *Cricklade* in *Wiltshire*;
who have Power to regulate and ascertain the
Rates for Water Carriage, taken by Bargemen,
&c.

Weights and Measures.

ONE Measure of Wine, Ale and Corn, shall 9 H. 3. c. 25.
be used throughout the Kingdom; and to
be the same of Weights.

This Statute was made for regulating the Assise 31 H. 3.
of Bread; Bakers, &c. not observing the Assise,
to be set on the Pillory, &c. When Wheat is
sold for 3 s. or 3 s. 4 d. a Quarter, Barley 20 d.
and Oats 16 d. the Brewers to sell two Gallons
of Ale and Beer for 1 d.

Every Measure to be according to the King's 25 E. 3. c. 10.
Standard.

There is to be one Weight and Measure; and 27 E. 3. c. 10.
no Person shall use any Deceit, upon Pain to for- 13 R. 2. c. 9.

feit the Value of the Commodity, and suffer Imprisonment, &c.

8 H. 6. c. 5. Every City, Borough and Town to have a common Balance, with common Weights sealed, on Pain of 10 l. the City, 5 l. the Borough, and 40 s. the Town.

11 H. 6. c. 8. Every City, Borough and Town to have a common Bushel sealed according to the Standard, under the like Penalties.

7 H. 7. c. 4. Measures and Weights of Brass to be sent to every City and Borough, and Mayors, &c. to seal Measures, refusing to seal them to forfeit 40 s.

11 H. 7. c. 4. Mayors, &c. to view all Measures and Weights once a Year, and break or burn those which are defective, and also inflict 6 s. 8 d. Penalty, &c.

22 Car. 2. c. 8. Water-measure for measuring of Corn, repeal'd; selling in other Measures than according to the Standard to forfeit 40 s. Mayors and Head-Officers of Towns, &c. permitting it to forfeit 5 l.

8 Ann. c. 18.] Mayors, &c. to set the Prices of all Bread. A Penalty of 40 s. is inflicted by this Act on Bakers selling Bread under Weight, &c. And Mayors, Justices of Peace, &c. may enter any Shop, Bakehouse, &c. to search for, weigh and try Bread; and if the Bread be wanting in Weight, or deficient in Goodness, may seize the same, and give it to the Poor.

1 Geo. 1. c. 25. But by this Statute Bakers are to pay 5 s. for every Ounce wanting in Weight, and 2 s. 6 d. under an Ounce.

3 Geo. 2. c. 29. And Bakers selling their Bread at a higher Price than set by Mayors, Bailiffs, and chief Magistrates of Towns, or by two Justices of Peace, shall forfeit 10 s.

Wills.

Widows may bequeath the Crop on the ²⁰H. 3. c. 2. Ground, as well of their Dower as other Lands. And a Parson may bequeath a Crop on his Glebe. 28 H. 8.

Every Person having a sole Estate in Fee-sim- ^{34 & 35}ple, or held in Coparcenary, &c. of Manors, ^{H. 8. c. 5.}and Lands, &c. may by his last Will and Testament, &c. devise the same, &c. to any Persons except Bodies Politick, &c. Wills made by Females Covert, Idiots, or Persons of nonsane Memory, not good in Law.

Nothing to be given for the Probate of a Will, ²¹H. 8. c. 5. when the Goods of the deceas'd exceed not 5 *l.* Value; when the Goods are above 5 *l.* but not 40 *l.* Value, the Judge's Fee is 2 *s.* 6 *d.* and the Register's 1 *s.* Above 40 *l.* the Register has 2 *s.* 6 *d.* or a Penny for ten Lines of the Will. Officers taking more than their Fees, to forfeit 10 *l.*

Devise of Lands, &c. to be made in Wri- ²⁹Car. 2. c. 3. ting, and signed by the Party in the Presence of three credible Witnesses. No nuncupative Wills to be good where the Estate bequeathed exceeds 30 *l.* not proved by the Oaths of three Witnesses present; nor unless it were made in the last Sickness of the deceased, and he bid them bear Witness, &c. No Will in Writing to be revok'd by Words only.

This Statute relates to Wills made of Goods ^{4 & 5}W. & ^{M. c. 2.}in the Province of York.

4 & 5 Ann.
c. 16.

Witnesses that are good Witnesses at Trials in Common Law, good Evidence to prove a nuncupative Will.

Window Tax.

7 & 8 W. 3.
c. 18.
8 Ann. c. 4.

EVERY Dwelling-house inhabited, having ten Windows but under twenty, to pay 6 s. Duty yearly; having twenty Windows or more, and under thirty, to pay 10 s. and having thirty Windows 20 s. Surveyors and Receivers to be constituted by his Majesty, and Collectors in every Parish, for whom Parishes shall answer, and they may take Distresses for the Tax, &c.

The Duty is charged on Occupiers of Houses; and if a House or Cottage, do not pay to Church and Poor, or have not 5 l. a Year Land, 'tis exempted from Duty.

Wine.

51 H. 3.

AN Inquest to be made of Vintners Names that sell corrupt Wine, and of the Assise and Price of Wine, &c.

4 E. 3. c. 22.

None shall sell Wines but at reasonable Prices; and Wines to be tried twice a Year, viz. at *Easter* and *Michaelmas*.

28 H. 8. c. 14.

The Lord Chancellor, &c. has Power to set the Prices of Wines, by the But, Barrel, &c, Persons selling at other Prices to forfeit 40 l.

None

None to sell Wine by Retail, but such as are ^{7 E. 6. c. 5.} licensed by Justices of Peace, &c. under the Penalty of 5 *l*.

By this Statute the King may grant Commis- ^{12 Car. 2.} sions to two or more Commissioners to license ^{c. 25.} Persons to retail Wine under certain Rents and Payments, &c. but the Privileges of the Company of Vintners in *London*, and of the Universities, &c. are saved.

The Revenue of Wine-Licenses granted to the ^{22 & 23} King, his Heirs and Successors. ^{Car. 2. c. 6.}

Merchants adulterating Wine to forfeit 300 *l*. ^{1 W. & M.}

A Duty granted on Wines made in *England*, ^{c. 34.} not produced from Vineyards, and Retailers to ^{10 Geo. 2. c. 17.} be licensed.

See Merchants and Customs.

Witchcraft.

PERSONS convict of Invocation, consulting ^{1 Jac. 1. c. 12.} and entertaining of Evil Spirits, or taking up any dead Person's Body to be used in Witchcraft, or that exercise any Witchcraft, &c. whereby a Person shall be killed, consumed or lamed, &c. to be guilty of Felony. And those as take upon them by Witchcraft, Charm, &c. to tell where Treasure or Things lost may be found; or to provoke any Person to unlawful Love; or whereby Cattle or Goods are destroyed; &c. shall suffer a Year's Imprisonment, and the Pillory: Second Offence is Felony.

- 9 Geo. 2. c. 5. This Statute is repealed; but Fortune-tellers, &c. to be punished by a Year's Imprisonment, and Pillory, and give Security for good Behaviour.

Wood.

- 35 H. 8. c. 7. **T**WELVE Standils of Oak to be left in every Acre of Wood sell'd at or under twenty-four Years Growth, or the like Number of Elm, Ash, &c. if there be no Oaks, under the Penalty of 6 s. 8 d. for every Standil not left.
- 43 El. c. 7. Hedge-breakers, &c. to be whipp'd; Constables by Warrant from a Justice may search for stolen Wood, Poles, Gates, Stiles, &c. and if Persons cannot give a good Account how they came by it, to make Recompence, and pay 10 s. to the Poor. Buyers of stolen Wood to pay treble Value.
- 1 Geo. 1. c. 48. Persons maliciously cutting or spoiling Timber-Trees; Fruit-Trees, &c. to be sent to the House of Correction for three Months, and whipp'd once a Month. Burning Wood, or Underwood made Felony.
- 6 Geo. 1. c. 16. If any Persons destroy Trees, or Woods, or break down Hedges, Gates, &c. the Owners to have Satisfaction from Inhabitants of the Place, as for Dikes and Fences over-thrown in the Night, &c. (by 13 Edw. 1. under Title *Approbement*) Offenders not being convicted in six Months.

Wool.

THIS Statute made it Felony to transport 27 E. 3. c. 3.
Wool.

But this Act repeals the Felony, but a For- 38 E. 3. c. 6.
feiture of Lands and Goods to stand.

Wool, &c. in Creeks for Transportation, to 14 H. 6. c. 5.
be forfeited.

Exporting or laying on Board any Vessel to 12 Car. 2.
export out of *England, Wales, Jersey, &c.* any c. 32.

Sheep, Wool, Yarn, &c. of the Produce of those
Places, to forfeit the same, and 20 s. for every
Sheep, and 3 s. for every Pound-weight of Wool,
&c.

This Statute makes Exportation of Wool Fe- 13 & 14
lony again. Car. 2. c. 18.

Wool carried on the Sea-Coasts to any Port,
to be conveyed to another Port, &c. in *England*, 1 W. & M.
to be entered at the Port where intended to be c. 32.
conveyed, or it shall be forfeited, and the Car-
riages, &c.

This Act a second Time repeals the Felony 7 & 8 W. 3.
for transporting Wool. No Wool to be carried c. 28.
within five Miles of the Sea-Coasts, or any Coun-
ties adjoining to *Scotland*, but between Sun-rising
and Sun-setting, on Pain of Forfeiture; and ex-
porting the same beyond Sea, to forfeit the Ves-
sel and treble Value. Persons aiding or assisting,
to suffer three Years Imprisonment, &c.

This Act obliges Persons in *Kent and Sussex*, 9 & 10 W. 3.
within ten Miles of the Sea, to give an Account c. 40.
in Writing after Sheep-sheering of the Number
of Fleeces, and where lodg'd, &c. to the next
Officer of the Customs, and have it entered.

Wool not entred, to be forfeited, and 3 s. *per* Pound, &c.

10 & 11
W. 3. c. 10. Exporting Wool out of *Ireland* to Foreign Parts, the same to be forfeited, and 500 l. and also the Ship or Vessel, &c.

4 Geo. 1. c. 11. Unlawful Exporters of Wool, where Judgment obtained against them, to pay the Sum recovered in three Months, or be transported.

5 Geo. 2. c. 21. To encourage *English* Woollen Manufactures, the Admiralty to appoint three Sixth Rate Ships, and eight armed Sloops, to cruise on the Coasts and seize Vessels having Woollen Goods of *Ireland* to be exported; which, with Ships, shall be forfeited, three Fourths to the Commander of any Sloop, and his Men, and the other to the King.

12-13-14

See more of Wool, **Clothiers.**

Wreck.

3 E. 1. c. 4. **W**HERE a Man, Dog or Cat escapes alive out of a Ship, the same not to be adjudged a Wreck, but the Goods shall be saved and kept by the Sheriff a Year and a Day, for the Owner, who shall be restored to them, on Proof made of their being his.

27 E. 3. c. 13. Goods lost by Piracy or Tempest, and not by Wreck, if they afterwards come to Land, shall be restored to the Owner.

12 Ann. c. 18. Where a Vessel is stranded or run on Shore, or in Danger, Justices of Peace, &c. are to command Constables near the Sea-Coasts to call As-

Assistance for Preservation of the Ship; and Officers of Men of War, &c. are to be aiding and assisting under the Penalty of 100 l.

The King to have Wreck of the Sea, by *Prærog. Reg.*

Governors, &c. shall provide for Mariners 1 *Geo. 2. c. 19.*
Shipwreck'd in foreign Parts.

See Seamen.

Writs. Vide Abatement and Suits.

York.

Persons inhabiting in the Province of York, 4 & 5
may by Will dispose of their personal Estate *W. & M.*
as they think fit.

York Market regulated for Sale of Butter, &c. 8 *Geo. 1. c. 27.*
which is to be viewed, searched, and weighed
before sold, under Penalties.

Acts regulating the Clothing Trade in *Yorkshire.* 11 *Geo. 1. c. 24.*
7 & 11 *Geo. 2.*

See Clothiers.

York-Buildings.

THE Governor and Company for raising 7 *Geo. 1. c. 20.*
Thames Water in York-Buildings, to enable
them to pay the Government for forfeited Estates,
by them bought, empowered to dispose of Rent-
Charges, or Annuities, &c. And any Persons
may purchase the same.

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